

# Scaling your international E-mobility operations:

## Overcoming the regulatory challenges



### Navigate E-mobility Regulations with Confidence

Welcome to Osborne Clarke's tool for navigating the international regulatory landscape of the E-mobility sector. As electric transportation grows, understanding and complying with evolving regulations is crucial. Whether you are an EV manufacturer, chargepoint operator, property developer, or local authority, this guide offers specific guidance to meet your needs.

The tool is divided into two sections: regulations and jurisdictions. You can explore how each regulation applies across different jurisdictions or see relevant regulations within each jurisdiction.

Our international lawyers offer tailored advice to navigate regulatory challenges, identify opportunities, and ensure compliance, providing you with the guidance needed for your E-mobility projects.

Navigate through the detailed information and contact our team today for specialised advice.

Click on a label for more information










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### ⊗ All jurisdictions EV Charging Regulation

 United Kingdom	 Germany	 Belgium	 Poland	 Spain	 Italy	 Netherlands
<ul style="list-style-type: none"> <li>Public Charge Point Regulations 2023</li> <li>Electric Vehicles (Smart Charge Points) Regulations 2021</li> <li>Building Regulations 2010 (Amended 2022)</li> <li>Automated and Electric Vehicles Act 2018</li> </ul>	<ul style="list-style-type: none"> <li>Gebäude-Elektromobilitätsinfrastruktur- Gesetz (Building-Electromobility Infrastructure Act)</li> <li>Ladesäulenverordnung (Charging Station Regulation)</li> <li>Preisangabenverordnung (Price Indication Regulation)</li> <li>38th BImSchV (GHG Reduction Ordinance)</li> <li>Alternative Fuels Infrastructure Regulation (2023/1804)</li> </ul>	<ul style="list-style-type: none"> <li>Articles 9/1.1.1 and 9/1.1.2 of the Decision of the Flemish Government on Energy Policy</li> <li>Article 13/1 Walloon EPB Decree of 28 November 2013</li> <li>Article 19/4 of the Walloon EPB Decree of 15 May 2014</li> <li>Article 17-20 and 3, §2 of the Brussels Parking Decision</li> <li>Alternative Fuels Infrastructure Regulation (2023/1804)</li> </ul>	<ul style="list-style-type: none"> <li>Act on Electromobility and Alternative Fuels 2018</li> <li>Regulation of the Minister of Energy on Technical Requirements for Charging Stations 2019</li> <li>Construction Law 1994</li> <li>Alternative Fuels Infrastructure Regulation (2023/1804)</li> </ul>	<ul style="list-style-type: none"> <li>Law 7/2021 (Climate Change and Energy Transition)</li> <li>Royal Decree - EV Charging (184/2022)</li> <li>Royal Decree Adoption of Emergency Energy Measures (29/ 2021)</li> <li>Royal Decree – EV Subsidies (266/2021)</li> <li>Alternative Fuels Infrastructure Regulation (2023/1804)</li> </ul>	<ul style="list-style-type: none"> <li>PNIPRE (National Plan for Electric Charging Infrastructure) 2013</li> <li>Decree Law No.76/2020 (Simplification Decree)</li> <li>National and local regulations address issues and provide guidelines for E-mobility issues</li> <li>Alternative Fuels Infrastructure Regulation (2023/1804)</li> </ul>	<ul style="list-style-type: none"> <li>Alternative Fuels Infrastructure Regulation (2023/1804)</li> </ul>

# Scaling your international E-mobility operations:

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### All jurisdictions    Product Regulation



United Kingdom

- UK Product and Metrology Bill (In Progress)
- Electrical Equipment (Safety) Regulations 2016
- General Product Safety Regulations 2005
- EU Regulations: CPOs should consider the General Product Safety Regulation (EU) 2023/998 and Low Voltage Directive (EU) 2014/35, applicable across the EEA



Germany

- Mess-und Eichgesetz (Measurement and Calibration Law)
- Mess-und Eichverordnung (Measurement and Calibration Ordinance)
- General Product Safety Regulation (2023/988)
- Product Liability Directive (2024/2853)
- Batteries Regulation (2023/1542)
- Waste from Electrical and Electronic Equipment Directive (2012/19)



Belgium

- Book IX of the Code of Economic Law (Product Safety)
- Book 6, Ch. 7, Sect. 1 of the Civil Code (Product Liability)
- Royal Decree of 27 March 2009 (Regulates batteries and accumulators on the market and user information pending update for EU Batteries Regulation)
- Royal Decree of 21 April 2016 (Regulates electrical equipment on the market)
- Royal Decree of 8 September 2019 (Establishes the General Regulation on Electrical Installations)
- Regional Legislation (Covers waste, EPR, WEEE, and technical requirements for vehicles)
- General Product Safety Regulation (2023/988)
- Product Liability Directive (2024/2853)
- Batteries Regulation (2023/1542)
- Waste from Electrical and Electronic Equipment Directive (2012/19)



Poland

- Act on Electromobility and Alternative Fuels 2018
- Regulation of the Minister of Infrastructure 2002
- Act on Batteries and Accumulators 2009 to be replaced by the new law in 2025
- General Product Safety Regulation (2023/988)
- Product Liability Directive (2024/2853)
- Batteries Regulation (2023/1542)
- Waste from Electrical and Electronic Equipment Directive (2012/19)

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### All jurisdictions    Product Regulation



#### Spain

- Royal Decree 187/2016 (Electrical Equipment Safety)
- Royal Decree 2200/1995 (General Industrial Safety)
- Royal Decree 27/2021 (Battery Waste Management)
- Law 7/2022 (Waste and Contaminated Soils)
- General Product Safety Regulation (2023/988)
- Product Liability Directive (2024/2853)
- Batteries Regulation (2023/1542)
- Waste from Electrical and Electronic Equipment Directive (2012/19) / Royal Decree 110/2015



#### Italy

- Decree of the President of the Republic No. 633/72 (Italian VAT Act)
- General Product Safety Regulation (2023/988)
- Product Liability Directive (2024/2853)
- Batteries Regulation (2023/1542)
- Waste from Electrical and Electronic Equipment Directive (2012/19)



#### Netherlands

- General Product Safety Regulation (2023/988)
- Product Liability Directive (2024/2853)
- Batteries Regulation (2023/1542)
- Waste from Electrical and Electronic Equipment Directive (2012/19)

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⌘ All jurisdictions Data Regulation

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<ul style="list-style-type: none"> <li>UK General Data Protection Regulation and Data Protection Act 2018</li> <li>Privacy and Electronic Communications Regulations 2003</li> <li>Public Charge Point Regulations 2023</li> <li>The Data (Use and Access) Act 2025</li> <li>The Automated and Electric Vehicles Act 2018</li> <li>The Network and Information Systems (NIS Regulations)</li> <li>Automated Vehicles Act 2024</li> <li>The Cyber Security and Resilience Bill</li> </ul>	<ul style="list-style-type: none"> <li>Telekommunikation-Digitale-Dienste-Datenschutz-Gesetz (Telecommunications Digital Services Data Protection Act)</li> <li>Bundesdatenschutzgesetz (Federal Data Protection Act)</li> <li>EU Cyber Resilience Act (2024/2847)</li> <li>NIS2 Directive (2022/2555)</li> <li>EU AI Act (2024/1689)</li> <li>Data Act Regulation (2023/2854)</li> <li>General Data Protection Regulation (2016/679)</li> <li>Motor Vehicle Approval Regulation (2018/858)</li> <li>Data Governance Act (2022/868)</li> </ul>	<ul style="list-style-type: none"> <li>EU Cyber Resilience Act (2024/2847)</li> <li>NIS2 Directive (2022/2555)</li> <li>EU AI Act (2024/1689)</li> <li>Data Act Regulation (2023/2854)</li> <li>General Data Protection Regulation (2016/679)</li> <li>Motor Vehicle Approval Regulation (2018/858)</li> <li>Data Governance Act (2022/868)</li> </ul>	<ul style="list-style-type: none"> <li>Cybersecurity and AI Requirements</li> <li>EU Cyber Resilience Act (2024/2847)</li> <li>NIS2 Directive (2022/2555)</li> <li>EU AI Act (2024/1689)</li> <li>Data Act Regulation (2023/2854)</li> <li>General Data Protection Regulation (2016/679)</li> <li>Motor Vehicle Approval Regulation (2018/858)</li> <li>Data Governance Act (2022/868)</li> </ul>	<ul style="list-style-type: none"> <li>Order TED/445/2023 (Information Provision by Energy Recharging Service Providers)</li> <li>Organic Law 3/2018 (Data Protection Law)</li> <li>EU Cyber Resilience Act (2024/2847)</li> <li>NIS2 Directive (2022/2555)</li> <li>EU AI Act (2024/1689)</li> <li>Data Act Regulation (2023/2854)</li> <li>General Data Protection Regulation (2016/679)</li> <li>Motor Vehicle Approval Regulation (2018/858) / Royal Decree 750/2010</li> <li>Data Governance Act (2022/868)</li> <li>Motor Vehicle Approval Regulation (2018/858)</li> <li>Data Governance Act (2022/868)</li> </ul>	<ul style="list-style-type: none"> <li>EU Cyber Resilience Act (2024/2847)</li> <li>NIS2 Directive (2022/2555)</li> <li>EU AI Act (2024/1689)</li> <li>Data Act Regulation (2023/2854)</li> <li>General Data Protection Regulation (2016/679)</li> <li>Motor Vehicle Approval Regulation (2018/858) / Royal Decree 750/2010</li> <li>Data Governance Act (2022/868)</li> </ul>	<ul style="list-style-type: none"> <li>General Safety Regulation (EU) 2019/2144</li> <li>EU Cyber Resilience Act (2024/2847)</li> <li>NIS2 Directive (2022/2555)</li> <li>EU AI Act (2024/1689)</li> <li>Data Act Regulation (2023/2854)</li> <li>General Data Protection Regulation (2016/679)</li> <li>Motor Vehicle Approval Regulation (2018/858)</li> <li>Data Governance Act (2022/868)</li> </ul>

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### All jurisdictions    Payment Regulation

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<ul style="list-style-type: none"><li>▪ Payment Services Regulations 2017</li><li>▪ Electronic Money Regulations 2011</li></ul>	<ul style="list-style-type: none"><li>▪ Zahlungsdienst-eaufsichtsgesetz (Payment Services Supervision Act)</li><li>▪ Preisangabenverordnung (Price Indication Regulation)</li><li>▪ Second E-Money Directive (2009/110)</li><li>▪ Alternative Fuels Infrastructure Regulation (2023/1804)</li><li>▪ Payment Services Directive 2 (2015/2366)</li></ul>	<ul style="list-style-type: none"><li>▪ B2B Act 2019</li><li>▪ Second E-Money Directive (2009/110)</li><li>▪ Alternative Fuels Infrastructure Regulation (2023/1804)</li><li>▪ Payment Services Directive 2 (2015/2366)</li></ul>	<ul style="list-style-type: none"><li>▪ Payment Services Act 2011</li><li>▪ Second E-Money Directive (2009/110)</li><li>▪ Alternative Fuels Infrastructure Regulation (2023/1804)</li><li>▪ Payment Services Directive 2 (2015/2366)</li></ul>	<ul style="list-style-type: none"><li>▪ Royal Decree 736/2019 (Payment Services and Payment Institution)</li><li>▪ Royal Decree-Law 19/2018 (Payment Services)</li><li>▪ Second E-Money Directive (2009/110)</li><li>▪ Alternative Fuels Infrastructure Regulation (2023/1804)</li><li>▪ Payment Services Directive 2 (2015/2366)</li></ul>	<ul style="list-style-type: none"><li>▪ Legislative Decree No. 11/2010</li><li>▪ Bank of Italy Transparency Provisions (29 July 2009)</li><li>▪ Legislative Decree No. 127/2015</li><li>▪ Second E-Money Directive (2009/110)</li><li>▪ Alternative Fuels Infrastructure Regulation (2023/1804)</li><li>▪ Payment Services Directive 2 (2015/2366)</li></ul>	<ul style="list-style-type: none"><li>▪ Second E-Money Directive (2009/110)</li><li>▪ Alternative Fuels Infrastructure Regulation (2023/1804)</li><li>▪ Payment Services Directive 2 (2015/2366)</li></ul>



# Scaling your international E-mobility operations:

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### All jurisdictions Consumer Regulation

 United Kingdom	 Germany	 Belgium	 Poland	 Spain	 Italy	 Netherlands
<ul style="list-style-type: none"><li>▪ Consumer Rights Act 2015</li><li>▪ Public Charge Point Regulations 2023</li><li>▪ Consumer Contracts Regulation (2013/134)</li><li>▪ Digital Markets Act (2022/1925)</li></ul>	<ul style="list-style-type: none"><li>▪ Preisangabenverordnung (Price Indication Regulation)</li><li>▪ Bürgerliches Gesetzbuch (Civil Code)</li><li>▪ Alternative Fuels Infrastructure Regulation (2023/1804)</li><li>▪ Consumer Rights Directive (2011/83)</li></ul>	<ul style="list-style-type: none"><li>▪ Book VI of the Code of Economic Law (Electronic Payment)</li><li>▪ Old Civil Code: Sect. IV of Title VI</li><li>▪ Civil Code: Title Vibis</li><li>▪ Alternative Fuels Infrastructure Regulation (2023/1804)</li><li>▪ Consumer Rights Directive (2011/83)</li></ul>	<ul style="list-style-type: none"><li>▪ Kodeks cywilny (Civil Code)</li><li>▪ Key issues include fair advertising (avoiding greenwashing), precontractual information duties for the trader, and consumer rights related to the trader's liability for the product sold</li><li>▪ Alternative Fuels Infrastructure Regulation (2023/1804)</li><li>▪ Consumer Rights Directive (2011/83)</li></ul>	<ul style="list-style-type: none"><li>▪ Royal-Legislative Decree 1/2007 (General Law for the Defence of Consumers)</li><li>▪ Law 3/1991 (Unfair Competition)</li><li>▪ Law 7/1996 (Retail Trade Law)</li><li>▪ Alternative Fuels Infrastructure Regulation (2023/1804)</li><li>▪ Consumer Rights Directive (2011/83)</li></ul>	<ul style="list-style-type: none"><li>▪ Italian Consumer Code (Legislative Decree No.206/2005)</li><li>▪ ICA Enforcement</li><li>▪ Claim Specificity</li><li>▪ Legislative Decree No. 86/2016, which implements in Italy EU Directive no. 2014/35</li><li>▪ Alternative Fuels Infrastructure Regulation (2023/1804)</li><li>▪ Consumer Rights Directive (2011/83)</li></ul>	<ul style="list-style-type: none"><li>▪ Dutch Civil Code (Burgerlijk Wetboek): Governs consumer rights, contract law, product liability, distance selling, unfair contract terms, and warranty and repairs, ensuring fairness and transparency in transactions</li><li>▪ Alternative Fuels Infrastructure Regulation (2023/1804)</li><li>▪ Consumer Rights Directive (2011/83)</li></ul>

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### ⊗ All jurisdictions Environment Regulation

 United Kingdom	 Germany	 Belgium	 Poland	 Spain	 Italy	 Netherlands
<ul style="list-style-type: none"> <li>Waste Electrical and Electronic Equipment Regulations 2013</li> <li>UK REACH</li> <li>The Restriction of the Use of Certain Hazardous Substances in Electrical and Electronic Equipment Regulations 2012</li> </ul>	<ul style="list-style-type: none"> <li>Baugesetzbuch (Federal Building Code) / Landesbauordnungen (State Building Codes)</li> <li>Bebauungspläne (Zoning Plans) / Baunutzungsverordnung (Federal Land Utilisation Ordinance)</li> <li>Straßenverkehrs-Ordnung (Road and Traffic Regulations)</li> <li>Regulations as regards strengthening the CO2 emission performance standards for new passenger cars, light commercial vehicles and heavy duty vehicles 2023/ 851, 2019/631, 2024/1610 and 2019/1242</li> <li>Fit for 55 2021</li> <li>Carbon Border Adjustment Mechanism (2023/956)</li> </ul>	<ul style="list-style-type: none"> <li>Flemish Integrated Permit Statue 2014</li> <li>Walloon Environmental Permit Statue 1999</li> <li>Brussels Environmental Permit Statue 1997</li> <li>Zero Emissions Decrees (at Municipality level)</li> <li>Fit for 55 2021</li> <li>Carbon Border Adjustment Mechanism (2023/956)</li> </ul>	<ul style="list-style-type: none"> <li>Act on Electromobility and Alternative Fuels 2018</li> <li>The Energy Law 1997</li> <li>Act on Renewable Energy Sources 2015</li> <li>Construction Law 1994</li> <li>Fit for 55 2021</li> <li>Carbon Border Adjustment Mechanism (2023/956)</li> </ul>	<ul style="list-style-type: none"> <li>Law 24/2013 (Electricity Sector Act)</li> <li>Fit for 55 2021</li> <li>Carbon Border Adjustment Mechanism (2023/956)</li> </ul>	<ul style="list-style-type: none"> <li>Decree Law No.76/2020 (Simplification Decree) Article 57: Simplifies procedures for constructing EV charging points. Public EV charging installations are permit-free and considered free construction activities, not subject to the SCIA rules concerning notification to the competent authority before construction (Paragraph 14). Municipalities can allow public and private entities to construct and manage charging infrastructure through competitive, transparent procedures (Paragraph 8).</li> <li>Legislative Decree No. 192/2005 (as amended by Legislative Decree No. 48/2020)</li> <li>Fit for 55 2021</li> <li>Carbon Border Adjustment Mechanism (2023/956)</li> </ul>	<ul style="list-style-type: none"> <li>Zero Emissions Decrees (at Municipality level)</li> <li>Fit for 55 2021</li> <li>Carbon Border Adjustment Mechanism (2023/956)</li> </ul>



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United Kingdom

### Overview

UK EV regulation is evolving to support net-zero goals, impacting charge point operators (CPOs), EV manufacturers, transport authorities, and developers. New regulations require 99% uptime, real-time updates, 24/7 support, and standardised pricing for charge points.

Contactless payment is now mandatory, replacing app exclusivity to simplify charging and boost consumer confidence. However, the UK faces uneven public charge point distribution, especially in rural areas, and slow implementation of contactless payments and reliability standards by 2025. Integrating smart charging systems and managing grid demand pose challenges as EV adoption accelerates.

EV manufacturers must meet stringent emissions and safety standards and support interoperability across the UK's charging infrastructure. The fragmented regulatory framework presents a high barrier to entry. Third party conformity assessment can cause delays due to a lack of capacity in accredited test houses and laboratories. Smart charging is becoming standard to optimise energy use and reduce grid strain. Authorities and developers are integrating smart charging infrastructure and addressing planning requirements for new developments. Ensuring infrastructure growth matches rising EV adoption is crucial.

There is a lack of UK guidance on whether (and to what extent) EV and CPO data should be considered personal data. A strict interpretation of data protection laws and guidance can create barriers to using this data. Unlike the EU, the UK has been lacking specific legislation on non-personal data, benefiting data-rich businesses but disadvantaging those needing access. Additionally, the UK's ePrivacy regulations can add complexity by restricting information storage and access on terminal equipment. However, the UK's regulatory landscape in this area is changing, including with the recent passing of the Data (Use and Access) Act 2025, which will also support the development of Smart Data Schemes, with the aim of enhancing data sharing and driving innovation in key sectors, such as transport. This may support access to and use of EV-related data in the future, but will also introduce new considerations for businesses in relation to their use of personal and non-personal data.

### Expert Lawyers



**Jeremy Godley**  
Legal Director, Mobility, UK  
(Commercial)



**Marie-Claire Day**  
Associate Director, UK  
(Commercial)



**Poppy Eales**  
Senior Associate, UK  
(Commercial)



**Edward Barratt**  
Partner, Head of Mobility, E-mobility Project Lead, UK  
(Commercial)

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United Kingdom

### Regulations

EV Charging Regulation	Product Regulation	Data Regulation	Payment Regulation	Consumer Regulation	Environment Regulation
<ul style="list-style-type: none"><li>Public Charge Point Regulations 2023</li><li>Electric Vehicles (Smart Charge Points) Regulations 2021</li><li>Building Regulations 2010 (Amended 2022)</li><li>Automated and Electric Vehicles Act 2018</li></ul>	<ul style="list-style-type: none"><li>UK Product and Metrology Bill (In progress)</li><li>Electrical Equipment (Safety) Regulations 2016</li><li>General Product Safety Regulations 2005</li><li>EU Regulations: CPOs should consider the General Product Safety Regulation (EU) 2023/998 and Low Voltage Directive (EU) 2014/35, applicable across the EEA</li></ul>	<ul style="list-style-type: none"><li>UK General Data Protection Regulation and Data Protection Act 2018</li><li>Privacy and Electronic Communications Regulations 2003</li><li>Public Charge Point Regulations 2023</li><li>The Data (Use and Access) Act 2025</li><li>The Automated and Electric Vehicles Act 2018</li><li>The Network and Information Systems (NIS) Regulations</li><li>Automated Vehicles Act 2024</li><li>The Cyber Security and Resilience Bill</li></ul>	<ul style="list-style-type: none"><li>Payment Services Regulations 2017</li><li>Electronic Money Regulations 2011</li></ul>	<ul style="list-style-type: none"><li>Consumer Rights Act 2015</li><li>Public Charge Point Regulations 2023</li><li>Consumer Contracts Regulation (2013/134)</li><li>Digital Markets Act (2022/1925)</li></ul>	<ul style="list-style-type: none"><li>Waste Electrical and Electronic Equipment Regulations 2013</li><li>UK REACH</li><li>The Restriction of the Use of Certain Hazardous Substances in Electrical and Electronic Equipment Regulations 2012</li></ul>

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Germany

### Overview

The expansion of E-mobility is vital for Germany's climate goals in transportation. To enhance charging infrastructure, the German government plans the "Deutschland Netz" with 9,000 new fast-charging stations (at least 150 kW), supported by the 2021 Fast Recharging Act.

Challenges remain in grid connection and integration, particularly with the rise in private recharging stations. From 01.01.2024, new private installations over 4.2 kW must follow grid stability optimisation rules to help grid operators manage capacity.

Following the end of EV subsidies, sales have slowed, but EU CO2 emission standards continue to drive the shift towards EVs. Safety and reliability of charging stations are ensured by European product safety regulations and the Measurement and Calibration Law.

German data privacy laws, interpreted strictly under GDPR by 17 supervisory authorities, add complexity for E-mobility stakeholders. Sector-specific energy laws impose additional technical obligations, especially for critical infrastructure, and restrict storing or accessing information on terminal equipment.

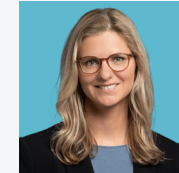
Payment Regulations demand strong customer authentication and specific onboarding, with some exemptions to streamline processes. EU and German laws focus on consumer protection, ensuring transparency and fair contractual terms.

Environmental and climate regulations cover building law, waste management, recycling, and emission reduction. EU law is moving towards a cradle-to-cradle approach for CO2 emissions in life-cycle assessments.

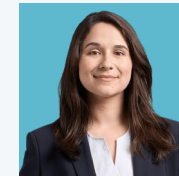
### Expert Lawyers



**Dr. Alexander Dlouhy, LL.M**  
Partner, Head of Decarbonisation, Germany  
(Energy)



**Dr. Karla Klasen**  
Senior Associate, Germany  
(Energy)



**Dr. Maria Batyreva**  
Associate, Germany  
(Energy)

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Germany

### Regulations

EV Charging Regulation	Product Regulation	Data Regulation	Payment Regulation	Consumer Regulation	Environment Regulation
<ul style="list-style-type: none"> <li>Gebäude-Elektromobilitätsinfrastruktur-Gesetz (Building-Electromobility Infrastructure Act)</li> <li>Ladesäulenverordnung (Charging Station Regulation)</li> <li>Preisangabenverordnung (Price Indication Regulation)</li> <li>38th BImSchV (GHG Reduction Ordinance)</li> <li>Alternative Fuels Infrastructure Regulation (2023/1804)</li> </ul>	<ul style="list-style-type: none"> <li>Mess-und Eichgesetz (Measurement and Calibration Law)</li> <li>Mess-und Eichverordnung (Measurement and Calibration Ordinance)</li> <li>General Product Safety Regulation (2023/988)</li> <li>Product Liability Directive (2024/2853)</li> <li>Batteries Regulation (2023/1542)</li> <li>Waste from Electrical and Electronic Equipment Directive (2012/19)</li> </ul>	<ul style="list-style-type: none"> <li>Telekommunikation-Digitale-Dienste-Datenschutz-Gesetz (Telecommunications Digital Services Data Protection Act).</li> <li>Bundesdatenschutzgesetz (Federal Data Protection Act)</li> <li>EU Cyber Resilience Act (2024/2847)</li> <li>NIS2 Directive (2022/2555)</li> <li>EU AI Act (2024/1689)</li> <li>Data Act Regulation (2023/2854)</li> <li>General Data Protection Regulation (2016/679)</li> <li>Motor Vehicle Approval Regulation (2018/858)</li> <li>Data Governance Act (2022/868)</li> </ul>	<ul style="list-style-type: none"> <li>Zahlungsdiensteaufsichtsgesetz (Payment Services Supervision Act)</li> <li>Preisangabenverordnung (Price Indication Regulation)</li> <li>Second E-Money Directive (2009/110)</li> <li>Alternative Fuels Infrastructure Regulation (2023/1804)</li> <li>Payment Services Directive 2 (2015/2366)</li> </ul>	<ul style="list-style-type: none"> <li>Preisangabenverordnung (Price Indication Regulation)</li> <li>Bürgerliches Gesetzbuch (German Civil Code)</li> <li>Alternative Fuels Infrastructure Regulation (2023/1804)</li> <li>Consumer Rights Directive (2011/83)</li> </ul>	<ul style="list-style-type: none"> <li>Baugesetzbuch (Federal Building Code) / Landesbauordnungen (State Building Codes)</li> <li>Bebauungspläne (Zoning Plans) / Baunutzungsverordnung (Federal Land Utilisation Ordinance)</li> <li>Straßenverkehrs-Ordnung (Road and Traffic Regulations)</li> <li>Regulations as regards strengthening the CO2 emission performance standards for new passenger cars, light commercial vehicles and heavy duty vehicles (EU 2023/ 851, 2019/631, 2024/1610 and 2019/1242)</li> <li>Fit for 55 2021</li> <li>Carbon Border Adjustment Mechanism (2023/956)</li> </ul>

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### Overview

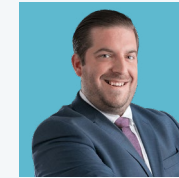
The roll-out of charging stations and infrastructure is supported by Belgium's and the EU's net-zero goals. Belgium focuses on private charging stations, while the EU (via the AFIR) sets requirements for publicly accessible ones.

However, there are several national challenges. Public charging stations are unevenly distributed, with Wallonia lagging behind Brussels and Flanders. Some regions also struggle with grid capacity and obtaining permits for high voltage cabins. Currently, there is no specific legislation for the product safety of charging stations, though general legislation is expected to cover this in the future. Managing the product lifecycle is complex due to differing federal and regional laws on product safety, waste management, and recycling.

Public authorities sometimes require E-mobility providers to share data to participate in public tenders. For example, Brussels imposes data sharing obligations on providers like DOTT. When constructing new buildings or undertaking major renovations, a minimum number of charging stations and infrastructure must be installed. Existing non-residential buildings with 10 or more parking spots must also provide charging infrastructure, and high voltage cabins for EV charging require an environmental permit.

Additionally, charging stations are sometimes paid for by employers at employees' homes as a tax-efficient alternative to salary payments.

### Expert Lawyers



**Cedric Degreef**  
Counsel, Head of Energy & Projects, Belgium  
(Energy & Projects)

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Belgium

### Regulations

EV Charging Regulation	Product Regulation	Data Regulation	Payment Regulation	Consumer Regulation	Environment Regulation
<ul style="list-style-type: none"><li>Articles 9/1.1.1 and 9/1.1.2 of the Decision of the Flemish Government on Energy Policy</li><li>Article 13/1 Walloon EPB Decree of 28 November 2013</li><li>Article 19/4 of the Walloon EPB Decree of 15 May 2014</li><li>Article 17-20 and 3, §2 of the Brussels Parking Decision</li><li>Alternative Fuels Infrastructure Regulation (2023/1804)</li></ul>	<ul style="list-style-type: none"><li>Book IX of the Code of Economic Law (Product Safety)</li><li>Book 6, Ch. 7, Sect. 1 of the Civil Code (Product Liability)</li><li>Royal Decree of 27 March 2009 (Regulates batteries and accumulators on the market and user information pending update for EU Batteries Regulation)</li><li>Royal Decree of 21 April 2016 (Regulates electrical equipment on the market)</li><li>Royal Decree of 8 September 2019 (Establishes the General Regulation on Electrical Installations)</li><li>Regional Legislation (Covers waste, EPR, WEEE, and technical requirements for vehicles)</li><li>General Product Safety Regulation (2023/988)</li><li>Product Liability Directive (2024/2853)</li><li>Batteries Regulation (2023/1542)</li><li>Waste from Electrical and Electronic Equipment Directive (2012/19)</li></ul>	<ul style="list-style-type: none"><li>EU Cyber Resilience Act (2024/2847)</li><li>NIS2 Directive (2022/2555)</li><li>EU AI Act (2024/1689)</li><li>Data Act Regulation (2023/2854)</li><li>General Data Protection Regulation (2016/679)</li><li>Motor Vehicle Approval Regulation (2018/858)</li><li>Data Governance Act (2022/868)</li></ul>	<ul style="list-style-type: none"><li>B2B Act</li><li>Second E-Money Directive (2009/110)</li><li>Alternative Fuels Infrastructure Regulation (2023/1804)</li><li>Payment Services Directive 2 (2015/2366)</li></ul>	<ul style="list-style-type: none"><li>Book VI of the Code of Economic Law (Electronic Payment)</li><li>Old Civil Code: Sect. IV of Title VI</li><li>Civil Code: Title Vibis</li><li>Alternative Fuels Infrastructure Regulation (2023/1804)</li><li>Consumer Rights Directive (2011/83)</li></ul>	<ul style="list-style-type: none"><li>Flemish Integrated Permit Statute 2014</li><li>Walloon Environmental Permit Statute 1999</li><li>Brussels Environmental Permit Statute 1997</li><li>Zero Emissions Decrees (at Municipality level)</li><li>Fit for 55 2021</li><li>Carbon Border Adjustment Mechanism (2023/956)</li></ul>

# Scaling your international E-mobility operations:

## Overcoming the regulatory challenges



### Overview

The Polish regulatory framework aligns with EU regulations for emission reduction and net-zero targets but faces national challenges. The energy mix primarily consists of conventional sources, and there are issues connecting new renewable energy sources (RES) to the grid due to its poor quality. The recent amendment to the Polish Energy Law addresses regulatory issues around hydrogen use, relevant for the hydrogen vehicle market.

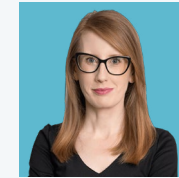
Administrative procedures for installing EV charging points need simplification, and grid quality must improve to support new RES connections. There are no specific data privacy regulations for EVs and charge point operators (CPOs), but the Polish Data Protection Authority (DPA) has highlighted issues related to connected vehicles, such as processing biometrics and geolocation data, data security, and data subjects' rights, indicating potential future interest in E-mobility.

Polish law on electromobility and alternative fuels provides data availability solutions. The President of the Technical Inspection Office operates a website with charging station data, and Poland's Data Portal offers free public transport data. Poland is working on legislation related to the Data Act, Data Governance Act, and implementing the NIS 2 Directive, but no local legislation exists yet.

Consumer Regulation presents challenges due to strict competition and consumer protection authority. Barriers to developing charging infrastructure include long connection procedures, poor coordination of subsidy programs, public tender conditions, and ineffective implementation of the RED II/III Directive.

Despite these challenges, subsidies are available for EVs, and Poland is a major producer of batteries for EV cars.

### Expert Lawyers



**Sylwia Uziębło-Kowalska**  
Counsel, Poland  
(Infrastructure Services)



**Olgierd Świerzewski**  
Co-Managing Partner, Head of Competition, Poland  
(Intellectual Property)

# Scaling your international E-mobility operations:

## Overcoming the regulatory challenges



### Regulations

EV Charging Regulation	Product Regulation	Data Regulation	Payment Regulation	Consumer Regulation	Environment Regulation
<ul style="list-style-type: none"><li>Act on Electromobility and Alternative Fuels 2018</li><li>Regulation of the Minister of Energy on technical requirements for charging stations 2019</li><li>Construction Law 1994</li><li>Alternative Fuels Infrastructure Regulation (2023/1804)</li></ul>	<ul style="list-style-type: none"><li>Act on Electromobility and Alternative Fuels 2018</li><li>Regulation of the Minister of Infrastructure 2002</li><li>Act on Batteries and Accumulators 2009 to be replaced by the new law in 2025</li><li>General Product Safety Regulation (2023/988)</li><li>Product Liability Directive (2024/2853)</li><li>Batteries Regulation (2023/1542)</li><li>Waste from Electrical and Electronic Equipment Directive (2012/19)</li></ul>	<ul style="list-style-type: none"><li>Cybersecurity and AI Requirements</li><li>EU Cyber Resilience Act (2024/2847)</li><li>NIS2 Directive (2022/2555)</li><li>EU AI Act (2024/1689)</li><li>Data Act Regulation (2023/2854)</li><li>General Data Protection Regulation (2016/679)</li><li>Motor Vehicle Approval Regulation (2018/858)</li><li>Data Governance Act (2022/868)</li></ul>	<ul style="list-style-type: none"><li>Payment Services Act 2011</li><li>Second E-Money Directive (2009/110)</li><li>Alternative Fuels Infrastructure Regulation (2023/1804)</li><li>Payment Services Directive 2 (2015/2366)</li></ul>	<ul style="list-style-type: none"><li>Kodeks cywilny (Civil Code)</li><li>Key issues include fair advertising (avoiding greenwashing), precontractual information duties for the trader, and consumer rights related to the trader's liability for the product sold</li><li>Alternative Fuels Infrastructure Regulation (2023/1804)</li><li>Consumer Rights Directive (2011/83)</li></ul>	<ul style="list-style-type: none"><li>Act on Electromobility and Alternative Fuels 2018</li><li>The Energy Law 1997</li><li>Act on Renewable Energy Sources 2015</li><li>Construction Law 1994</li><li>Fit for 55 2021</li><li>Carbon Border Adjustment Mechanism (2023/956)</li></ul>



# Scaling your international E-mobility operations:

## Overcoming the regulatory challenges



### Overview

In the last ten years, Spain's regulatory framework for EVs has grown significantly in line with EU objectives. The National Integrated Energy and Climate Plan (PNIEC 2023-2030) targets 5.5 million EVs by 2030. Currently, there are about 500,000 EVs in Spain, but the country lags behind other European nations. In July 2024, 8,242 EVs were registered, 4% less than the previous year. High EV costs and insufficient long-distance charging infrastructure are major issues.

To address these challenges, Spain has mandated the establishment of more charging stations. This includes requiring recharging points (Public Law, Regulatory, Planning) at fuel supply installations, buildings (excluding private residential) with over twenty parking spaces, existing car parks with more than twenty spaces, as well as car parks that are newly constructed or undergoing significant renovations. Additionally, noteworthy subsidies are available to foster the development of recharging infrastructure and encourage EVs purchases.

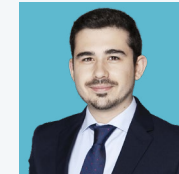
Furthermore, the procedure for obtaining licences and authorisations for recharging stations (Public Law, Regulatory, Planning) with a power rating of less than 3,000 kW is simplified through responsible declarations, allowing the installation and start of the energy recharging service from the day of submission. Some regions have even enacted laws to expedite the authorisation process for new charging stations. Compliance with technical and safety requirements related to electrical installations is also important.

Please note that Spain lacks E-mobility consumer protection laws and no specific legislation for personal data protection in EVs and charging stations. However, recharging facilities must be registered with the Autonomous Communities, which transmit information on ownership, location, and characteristics to the Spanish Ministry of Ecological Transition.

### Expert Lawyers



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**Sergio de la Fuente**  
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**Mario Gras**  
Counsel, Spain  
(IT & Intellectual Property)

# Scaling your international E-mobility operations:

## Overcoming the regulatory challenges



Spain

### Regulations

EV Charging Regulation	Product Regulation	Data Regulation	Payment Regulation	Consumer Regulation	Environment Regulation
<ul style="list-style-type: none"><li>Law 7/2021 (Climate Change and Energy Transition)</li><li>Royal Decree - EV Charging (184/2022)</li><li>Royal Decree Adoption of Emergency Energy Measures (29/ 2021)</li><li>Royal Decree – EV Subsidies (266/2021)</li><li>Alternative Fuels Infrastructure Regulation (2023/1804)</li></ul>	<ul style="list-style-type: none"><li>Royal Decree 187/2016 (Electrical Equipment Safety)</li><li>Royal Decree 2200/1995 (General Industrial Safety)</li><li>Royal Decree 27/2021 (Battery Waste Management)</li><li>Law 7/2022 (Waste and Contaminated Soils)</li><li>General Product Safety Regulation (2023/988)</li><li>Product Liability Directive (2024/2853)</li><li>Batteries Regulation (2023/1542)</li><li>Waste from Electrical and Electronic Equipment Directive (2012/19) / Royal Decree 110/2015</li></ul>	<ul style="list-style-type: none"><li>Order TED/445/2023 (Information Provision by Energy Recharging Service Providers)</li><li>Organic Law 3/2018 (Data Protection Law)</li><li>EU Cyber Resilience Act (2024/2847)</li><li>NIS2 Directive (2022/2555)</li><li>EU AI Act (2024/1689)</li><li>Data Act Regulation (2023/2854)</li><li>General Data Protection Regulation (2016/679)</li><li>Motor Vehicle Approval Regulation (2018/858) / Royal Decree 750/2010</li><li>Data Governance Act (2022/868)</li></ul>	<ul style="list-style-type: none"><li>Royal Decree 736/2019 (Payment services and Payment institutions)</li><li>Royal Decree-Law 19/2018 (Payment services)</li><li>Second E-Money Directive (2009/110)</li><li>Alternative Fuels Infrastructure Regulation (2023/1804)</li><li>Payment Services Directive 2 (2015/2366)</li></ul>	<ul style="list-style-type: none"><li>Royal-Legislative Decree 1/2007 (General Law for the Defence of Consumers)</li><li>Law 3/1991 (Unfair Competition)</li><li>Law 7/1996 (Retail Trade Law)</li><li>Alternative Fuels Infrastructure Regulation (2023/1804)</li><li>Consumer Rights Directive (2011/83)</li></ul>	<ul style="list-style-type: none"><li>Law 24/2013 (Electricity Sector Act)</li><li>Fit for 55 2021</li><li>Carbon Border Adjustment Mechanism (2023/956)</li></ul>

# Scaling your international E-mobility operations:

## Overcoming the regulatory challenges



### Overview

Italy's E-mobility regulatory framework aligns with EU standards, requiring EV manufacturers to meet environmental and safety regulations, supported by government incentives and expanding charging infrastructure. The framework guides charging point operators (CPOs) on building and managing stations and offering services to the public.

Italy faces challenges in ensuring widespread charging infrastructure, with over 60% in five regions. Accelerating EV adoption and infrastructure development is crucial to meet the National Integrated Energy and Climate Plan's target of 6.5 million EVs by 2030.

Legal uncertainty exists due to the lack of specific E-mobility legislation. Public authorities sometimes require data sharing from E-mobility providers for public tenders, as seen in Milan with providers like Bolt. Italian Data Controllers must meet local system administrator requirements.

High fees for B2C card and electronic payments often discourage cashless transactions. AFIR obligations may attract new players but involve high set-up and compliance costs. Connectivity issues hinder card reader functionality at charging points.

Manufacturers and dealers must comply with the Italian Competition Authority's strict standards for environmental claims, which must be clear, scientifically verifiable, and accurately communicated. Grants from Italian budget laws and the National Recovery and Resilience Plan (NRRP) focus on sustainable transport infrastructure and mobility projects.

Authorities and developers aim to integrate E-mobility, including vehicle sales, charging infrastructure management, and shared mobility services, offering significant opportunities for economic growth and environmental sustainability.

### Expert Lawyers



**Gianluigi Marino**  
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**Angelo Molinaro**  
Counsel, Head of Retail & Consumer, Italy  
(Competition)



**Nunzia Melaccio**  
Partner, Italy  
(Banking & Finance)

# Scaling your international E-mobility operations:

## Overcoming the regulatory challenges



Italy

### Regulations

EV Charging Regulation	Product Regulation	Data Regulation	Payment Regulation	Consumer Regulation	Environment Regulation
<ul style="list-style-type: none"><li>▪ PNIPRE (National Plan for Electric charging Infrastructure) 2013</li><li>▪ Decree Law No.76/2020 (Simplification Decree)</li><li>▪ National and local regulations address issues and provide guidelines for E-mobility issues</li><li>▪ Alternative Fuels Infrastructure Regulation (2023/1804)</li></ul>	<ul style="list-style-type: none"><li>▪ Decree of the President of the Republic No. 633/72 (Italian VAT Act)</li><li>▪ General Product Safety Regulation (2023/988)</li><li>▪ Product Liability Directive (2024/2853)</li><li>▪ Batteries Regulation (2023/1542)</li><li>▪ Waste from Electrical and Electronic Equipment Directive (2012/19)</li></ul>	<ul style="list-style-type: none"><li>▪ EU Cyber Resilience Act (2024/2847)</li><li>▪ NIS2 Directive (2022/2555)</li><li>▪ EU AI Act (2024/1689)</li><li>▪ Data Act Regulation (2023/2854)</li><li>▪ General Data Protection Regulation (2016/679)</li><li>▪ Motor Vehicle Approval Regulation (2018/858)</li><li>▪ Data Governance Act (2022/868)</li></ul>	<ul style="list-style-type: none"><li>▪ Legislative Decree No. 11/2010</li><li>▪ Bank of Italy Transparency Provisions (29 July 2009)</li><li>▪ Legislative Decree No. 127/2015</li><li>▪ Second E-Money Directive (2009/110)</li><li>▪ Alternative Fuels Infrastructure Regulation (2023/1804)</li><li>▪ Payment Services Directive 2 (2015/2366)</li></ul>	<ul style="list-style-type: none"><li>▪ Italian Consumer Code (Legislative Decree No.206/2005)</li><li>▪ ICA Enforcement</li><li>▪ Claim Specificity</li><li>▪ Legislative Decree No. 86/2016, which implements in Italy Directive no. 2014/35/EU</li><li>▪ Alternative Fuels Infrastructure Regulation (2023/1804)</li><li>▪ Consumer Rights Directive (2011/83)</li></ul>	<ul style="list-style-type: none"><li>▪ Decree Law No.76/2020 (Simplification Decree) Article 57: Simplifies procedures for constructing EV charging points. Public EV charging installations are permit-free and considered free construction activities, not subject to the SCIA rules concerning notification to the competent authority before construction (Paragraph 14). Municipalities can allow public and private entities to construct and manage charging infrastructure through competitive, transparent procedures (Paragraph 8).</li><li>▪ Legislative Decree No. 192/2005 (as amended by Legislative Decree No. 48/2020)</li><li>▪ Fit for 55 2021</li><li>▪ Carbon Border Adjustment Mechanism (2023/956)</li></ul>

# Scaling your international E-mobility operations:

## Overcoming the regulatory challenges



### Overview

Dutch regulations are largely EU-based, making them similar to those in other EU jurisdictions. The Netherlands is among the top three countries for available charge points and EV density. However, the Dutch E-mobility market faces several challenges.

Ensuring interoperability and data ownership poses significant challenges for EV manufacturers and charge point operators (CPOs), complicating system integration and data continuity. Achieving GDPR compliance within the complex chains of EV manufacturers and CPOs presents difficulties in maintaining data privacy and security across multiple stakeholders.

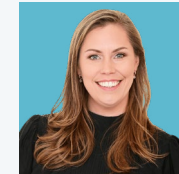
The active consumer protection authority in the Netherlands can impose fines of 1-4% (or 10% for unfair commercial practices) of annual turnover, and there is potential for consumer class actions. Dutch law favours class actions, allowing any representative organisation to claim damages for an entire class of claimants on an opt-out basis, even though individual consumers are usually reluctant to initiate legal proceedings.

Additionally, the market is fragmented with many smaller players, necessitating consolidation for effective scaling of E-mobility businesses. Insufficient grid capacity and declining EV sales due to reduced fiscal stimulus further complicate the market landscape.

### Expert Lawyers



**Michel Chatelin**  
Partner, The Netherlands  
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**Niels Dolk**  
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(Corporate/M&A)



**Gianna Hendriks**  
Associate, The Netherlands  
(Corporate/Contracting/Data Privacy/  
Intellectual Property)

# Scaling your international E-mobility operations:

## Overcoming the regulatory challenges



### Regulations

EV Charging Regulation	Product Regulation	Data Regulation	Payment Regulation	Consumer Regulation	Environment Regulation
<ul style="list-style-type: none"><li>Alternative Fuels Infrastructure Regulation (2023/1804)</li></ul>	<ul style="list-style-type: none"><li>General Product Safety Regulation (2023/988)</li><li>Product Liability Directive (2024/2853)</li><li>Batteries Regulation (2023/1542)</li><li>Waste from Electrical and Electronic Equipment Directive (2012/19)</li></ul>	<ul style="list-style-type: none"><li>General Safety Regulation (EU) 2019/2144</li><li>EU Cyber Resilience Act (2024/2847)</li><li>NIS2 Directive (2022/2555)</li><li>EU AI Act (2024/2847)</li><li>Data Act Regulation (2023/2854)</li><li>General Data Protection Regulation (2016/679)</li><li>Motor Vehicle Approval Regulation (2018/858)</li><li>Data Governance Act (2022/868)</li></ul>	<ul style="list-style-type: none"><li>Second E-Money Directive (2009/110)</li><li>Alternative Fuels Infrastructure Regulation (2023/1804)</li><li>Payment Services Directive 2 (2015/2366)</li></ul>	<ul style="list-style-type: none"><li>Dutch Civil Code (Burgerlijk Wetboek): Governs consumer rights, contract law, product liability, distance selling, unfair contract terms, and warranty and repairs, ensuring fairness and transparency in transactions</li><li>Alternative Fuels Infrastructure Regulation (2023/1804)</li><li>Consumer Rights Directive (2011/83)</li></ul>	<ul style="list-style-type: none"><li>Zero Emissions Decrees (at Municipality level)</li><li>Fit for 55 2021</li><li>Carbon Border Adjustment Mechanism (2023/956)</li></ul>