

LN. 413 of 2017

**EUROPEAN UNION ACT
(CAP. 460)**

Alternative Fuels Order, 2017

In exercise of the powers conferred by article 4(2) of the European Union Act, Prime Minister has made the following order:-

1. (1) The title of this order is Alternative Fuels Order, 2017. Title and scope.

(2) This order partially transposes Directive 2014/94/EU of the European Parliament and of the Council of 22 October 2014 on the deployment of alternative fuels infrastructure.

2. (1) In this order, unless the context otherwise requires:- Definitions.

the "Act" shall mean the European Union Act; Cap. 460.

"alternative fuel" means fuel or power sources which serve, at least partly, as a substitute for fossil oil sources in the energy supply to transport and which have the potential to contribute to its decarbonisation and enhance the environment performance of the transport sector, and includes:

- (a) electricity;
- (b) hydrogen;
- (c) liquid or gaseous biofuels derived from biomass;
- (d) synthetic and paraffinic fuels;
- (e) natural gas, including biomethane in gaseous form (compressed natural gas-CNG) and liquefied form (liquefied natural gas -LNG); and
- (f) liquefied petroleum gas;

"electric vehicle" means a motor vehicle equipped with a powertrain containing at least one non-peripheral electric machine as energy convertor with an electric rechargeable energy storage system, which can be recharged externally;

"high power recharging point" means a recharging point that allows for a transfer of electricity to an electric vehicle with a power of more than 22kW;

B 3300

"infrastructure operator" means the person responsible for operating a recharging point or refuelling point whether as owner or on behalf of a third party;

"intelligent metering system" means an electronic system that can measure energy consumption, providing more information than a conventional meter and can transmit and receive data using a form of electronic communication;

"Minister" means the Minister responsible for transport;

"normal power recharging point" means a recharging point accessible to the public which allows for the transfer of electricity to an electric vehicle with a power less than, or equal to, 22kW, excluding devices:

- (a) with a power less than or equal to 3.7kW; or
- (b) the primary purpose of which is not recharging vehicles;

"recharging point" means an interface accessible to the public and is capable of charging one electric vehicle at a time, or exchanging a battery of one electric vehicle at a time;

"refuelling point" means a refuelling facility accessible to the public for the provision of any alternative fuel, excluding LNG, through a fixed or mobile installation;

"renewed" in respect of a recharging point, refuelling point or shore-side electricity supply installation means the restoration or upgrade of the item's operation capacity, excluding:

- (a) work to replace or repair a single internal component or part as a result of wear and tear or the end of its operational life; or
- (b) work to carry out repairs to the external structure (including connector sockets) without replacing that structure;

"shore-side electricity supply installation" means the provision of shore-side electrical power through a standardised interface to seagoing ships at berth falling within the scope of the technical specification in item 4 of the Schedule.

(2) A recharging or refuelling point shall be accessible to the public only if it is:

(a) intended for use by members of the general public (including those situated in public car parks, whether or not those car parks are available only to consumers of specific goods or services); and

(b) not intended for:

(i) exclusive use in respect of a vehicle produced by a specific manufacturer;

(ii) use by persons engaged in specific occupations;

(iii) use by persons whilst at their place of employment (including visitors); or

(iv) exclusive use by occupiers of, or visitors to, residential premises.

3. (1) Subject to sub-article (4), in the case where, any of the infrastructure, referred to in sub-article (2), is deployed or renewed as from the 17th November, 2017, the infrastructure operator shall ensure that such infrastructure complies with the technical specifications set out in the relevant item of the Schedule as specified in sub-article (3).

Standards for recharging and refuelling points and hydrogen supply in road transport.

(2) The infrastructure referred to in sub-article (1) shall be:

(a) a normal power recharging point;

(b) a high power recharging point; and

(c) a refuelling point supplying hydrogen.

(3) The relevant items of the Schedule are:

(a) for a normal power recharging point, item 1;

(b) for a high power recharging point, item 2; and

(c) for a refuelling point supplying hydrogen, item 3.

(4) The requirements referred to in sub-articles (3)(a) and (3)(b), with regards to the infrastructure referred to in sub-articles (2)(a) and (2)(b), shall not apply to wireless or inductive units.

(5) The technical specifications laid down in items 1 and 2 of the Schedule shall be the required minimum standards.

B 3302

Shore-side
electricity for
seagoing ships.

4. A marine terminal or facility operator which operates a shore-side electricity supply installation for seagoing ships which is deployed or renewed after 17th November, 2017 shall ensure that the installation complies with the requirements set out in item 4 of the Schedule.

Recharging
points:
intelligent
metering and
ad-hoc access.

5. (1) An infrastructure operator shall ensure, as from the 17th November 2017, that all recharging points, for which he is responsible, incorporate intelligent metering systems which comply with the requirements specified in item 5 of the Schedule.

(2) Operators of recharging points shall be allowed to provide electric vehicle recharging services to customers on a contractual basis, including in the name and on behalf of other service providers.

(3) The prices charged by the operators of recharging points accessible to the public shall be reasonable, easily and clearly comparable, transparent and non-discriminatory.

User
information.
Cap. 423.
Cap. 499
Cap. 234.

6. (1) The infrastructure operator shall, without prejudice to the provisions of the Malta Resources Authority Act, the Authority for Transport in Malta Act and the Merchant Shipping Act, provide and make available to the person at the point of recharging, clear and consistent information related to all motor vehicles which:

- (a) may be regularly fuelled with individual fuels placed on the market; or
- (b) recharged by recharging points.

(2) Such information as referred to in sub-article (1) shall be made available:

- (a) in relevant motor vehicle manuals;
- (b) at refuelling and recharging points;
- (c) on motor vehicles; and
- (d) in motor vehicle dealerships.

(3) This article shall apply to all motor vehicles, and their motor vehicle manuals, placed on the market after the 18th November, 2016.

Review.

7. The Minister shall from time to time carry out a review of this order and publish a report setting out the conclusions thereof; such reports shall be published:

- (a) before the 9th October, 2022; and
- (b) at intervals not exceeding five (5) years.

SCHEDULE
Technical specifications

1. Normal power recharging points for motor vehicles

- (1) An alternating current normal power recharging point for electric vehicles shall be equipped for interoperability purposes with at least socket outlets or vehicle connectors of Type 2 as described in standard EN 62196-2*.
- (2) While maintaining the Type2 compatibility, those socket outlets may be equipped with features such as mechanical shutters.

2. High power recharging points for motor vehicles

- (1) An alternating current high-power recharging point for electric vehicles shall be equipped for interoperability purposes with at least connectors for Type 2 as described in standard EN62196-2.
- (2) A direct current high-power recharging point for electric vehicles shall be equipped for interoperability purposes with at least connectors of the combined charging system 'Combo 2' as described in standard EN 62196-3**.

3. Technical specification for refuelling points supplying hydrogen for motor vehicles

Connectors for motor vehicles for the refuelling of gaseous hydrogen shall comply with the ISO 17268*** gaseous hydrogen motor vehicle refuelling connection devices standard.

* Plugs, socket-outlets vehicle connectors and vehicle inlets. Conductive charging of electric vehicles Dimensional compatibility and interchangeability requirements for a.c. pin and contact-tube accessories SM EN 621962: 2017.

** Plugs, socket-outlets vehicle connectors and vehicle inlets. Conductive charging of electric vehicles Dimensional compatibility and interchangeability requirements for d.c.and a c/dc pin and contact-tube vehicle couplers' SM EN 62196-3-2014.

***Gaseous hydrogen land vehicle refuelling connection devices SM EN ISO 17268:2016.

4. *Shore-side electricity supply installations for seagoing ships*

Shore-side electricity supply installations for seagoing ships, including the design, installation and testing of the systems, shall comply with the technical specifications of the IEC/ISO/IEEE 80005-1 standard*.

5. *Technical specifications for intelligent metering systems*

- (1) The infrastructure operator shall ensure that the intelligent metering system:
 - (a) displays to the person using the recharging point the time of its use;
 - (b) is secure with regard to data sent from and to it.
- (2) The infrastructure operator shall ensure that information on the performance of the intelligent metering system is made available to the person at the point of recharging.

* Utility connection in port. High Voltage Shore Connection (HVSC) Systems General requirements ISO/IEC/IEEE 80005-1:2012.