
STATUTORY INSTRUMENTS

2017 No. 897

The Alternative Fuels Infrastructure Regulations 2017

Interpretation

2.—(1) In these Regulations —

“alternative fuel”(1) 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 environmental performance of the transport sector and includes—

- (a) electricity;
- (b) hydrogen;
- (c) liquid or gaseous biofuels derived from biomass(2);
- (d) synthetic and paraffinic fuels;
- (e) natural gas, including biomethane in gaseous form (compressed natural gas) 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 converter with an electric rechargeable energy storage system, which can be recharged externally;

“enforcement authority” means the Secretary of State or, if a person has been authorised by the Secretary of State in accordance with regulation 7, that person;

“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;

“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(3);

“normal power recharging point” means a recharging point accessible to the public that allows for a 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;

(1) “alternative fuels” is defined in [Directive 2014/94/EU](#) of the European Parliament and Council of 22nd October 2014 on the deployment of alternative fuels infrastructure, Article 2(1), OJ No L 307 28.10.2014, p1.

(2) “biofuels” is defined in Article 2(i) of [Directive 2009/28/EC](#) of the European Parliament and Council of 23rd April 2009 on the promotion of the use of energy from renewable sources and amending and subsequently repealing [2001/77/EC](#) and [2003/30/EC](#), OJ No L 140 5.6.2009, p16.

(3) “intelligent metering system” is defined in [Directive 2012/27/EU](#) of the European Parliament and Council of 25th October 2012 on energy efficiency, Article 2(28), OJ No L 315 14.11.2012, p1.

“recharging point” means an interface which is 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 which is 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 operating 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 paragraph 4 of the Schedule; and

“statutory harbour authority” means—

- (a) in relation to Great Britain, a harbour authority within the meaning of the Harbours Act 1964(4); and
- (b) in relation to Northern Ireland, a harbour authority within the meaning of the Harbours Act (Northern Ireland) 1970(5).

(2) A recharging or refuelling point is accessible to the public 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.

(4) 1964 c. 40; section 57. The definition of “harbour” was amended by the Local Government (Scotland) Act 1973 (c. 65), section 237(1), Schedule 29 and by the Merchant Shipping Act 1995 (c. 21); section 314(2), Schedule 13, and paragraph 33a. There are other amendments to this section which are not relevant to this instrument.

(5) 1970 c. 1 (N.I.); section 38.