

New Regulations on Electric Vehicle Charging Stations Entered into Force

1 Feb 2022

Law numbered 7346 on the Amendments to Certain Laws ("**Amendment Law**") has been published in Official Gazette dated 25 December 2021 and numbered 31700, regulating various matters including establishment of electric vehicle charging stations and usage area of this stations, application conditions and procedure of charging networks operation licence, obligation of license holder and the charging services fee has been entered into force.

Amendment Law introduced long-awaited changes in the Electricity Market Law numbered 6446 ("**EML**") paving the way for a new era for EV charging stations in Turkey.

Summary of main changes introduced with the Amendment Law are as follows:

- Electric vehicle ("**EV**") charging services will be carried out in line with the EML and the secondary legislation.
- Energy Market Regulatory Authority ("**EMRA**") is now authorized to issue secondary legislation regarding EV charging stations. The Amendment Law foresees a 3-month period for EMRA to complete such secondary legislation. Details of the new EV charging station system will be set out under such legislation. Existing EV stations will have a further 4 months period after the expiry of the said 3-months, to ensure that they are compliant with the EML.
- Besides non-commercial exceptions to be determined by EMRA, EV charging services will be carried out under "charging network operating license", which is now introduced as a new licence type to be granted by EMRA.
- EMRA will establish a new "free access platform" where the EV owners will be able to connect and see in real time all EV charge stations, and applicable prices. Data transfers and other actions will be established through standard protocols and interface. Details of the "free access platform" will later be announced.
- A charging network operating license holder authorized by EMRA ("**Charging Network Operator**") will be able to:
 - Establish and operate EV charging stations in the regions set out under its license.
 - Certify and authorize third parties as EV charging station operators to establish and operate EV charging stations. The details and scope of such certification will later be determined by EMRA; however, the ultimate responsibility from the activities of the certified EV station operators will remain with the Charging Network Operator.
- Main obligations of the Charging Network Operators are determined as follows:
 - Compliance with the EML and secondary legislation and the principles to be issued by EMRA.
 - Besides the force majeure event and exemptions introduced by EMRA, provide uninterrupted, continuous and quality charging services within the charging stations connected to their network.
 - Provide charging services for all EVs.
 - Ensure interoperability of the charging stations with the electricity transmission and distribution grids and their software support systems. To that end, establish necessary management, audit and record systems, as well as provide access to EMRA and related public authorities to these systems.
 - Ensure that all charging stations within its network established either by itself or by EV station operators are established and operated in compliance with the technical requirements and connection agreements of the electricity distribution companies.
 - Provide all necessary information and documents to EMRA, as well as allow audit of the charging stations, in line with the principles to be determined by EMRA.
 - Ensure integration with the free access platform to be established by EMRA.

- The EV charging fees will be subject to following rules:
- Charging Network Operators will be able to determine the charging fees within their own discretion, subject to principles and procedures to be announced by EMRA.
- Operating and investment expenses, electricity purchase costs and similar expenses, legal costs such as taxes and funds and a reasonable profit margin shall be taken into account in determination of charging fees by the Charging Network Operators.
- No additional charge or fee can be requested from the customers besides the charging fees determined and announced for the provision of EV charging services.
- The Amendment Law allows Charging Network Operators to enter into loyalty agreements with EV users and under such agreements, specific advantages on price can be provided to customers.
- Charging fees will be announced in the stations, as well as in their digital media by Charging Network Operators.
- Charging fees and activities of the Charging Network Operators shall not disrupt or interrupt the charging services or restrict the competition in the market.
- If there are any activities, agreements or actions in the market which disrupts or restricts the provision of charging services or the competition in the market, EMRA is authorized to take necessary precautions and impose minimum and/or maximum charging fees either regionally or nation-wide. Such minimum and/or maximum charging fees set by EMRA cannot exceed 3 months each time; however, based on EMRA's evaluation of the effect of the disruptive activities, minimum and maximum charging fee limits can be introduced.
- Electricity distribution companies must prepare a projection on evaluation of use of EVs and charging network needs of the country every 2 years, by using the data obtained from Charging Network Operators and the EV car manufacturers and importers. Electricity distribution companies must also take necessary precautions to ensure that sufficient capacity is available in the electricity grids.

The full text of the Amendment Regulation is available at this [link](#) (only available in Turkish).

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