

GUIDE

New electric mobility regime

Decree-Law 93/2025 of August 14

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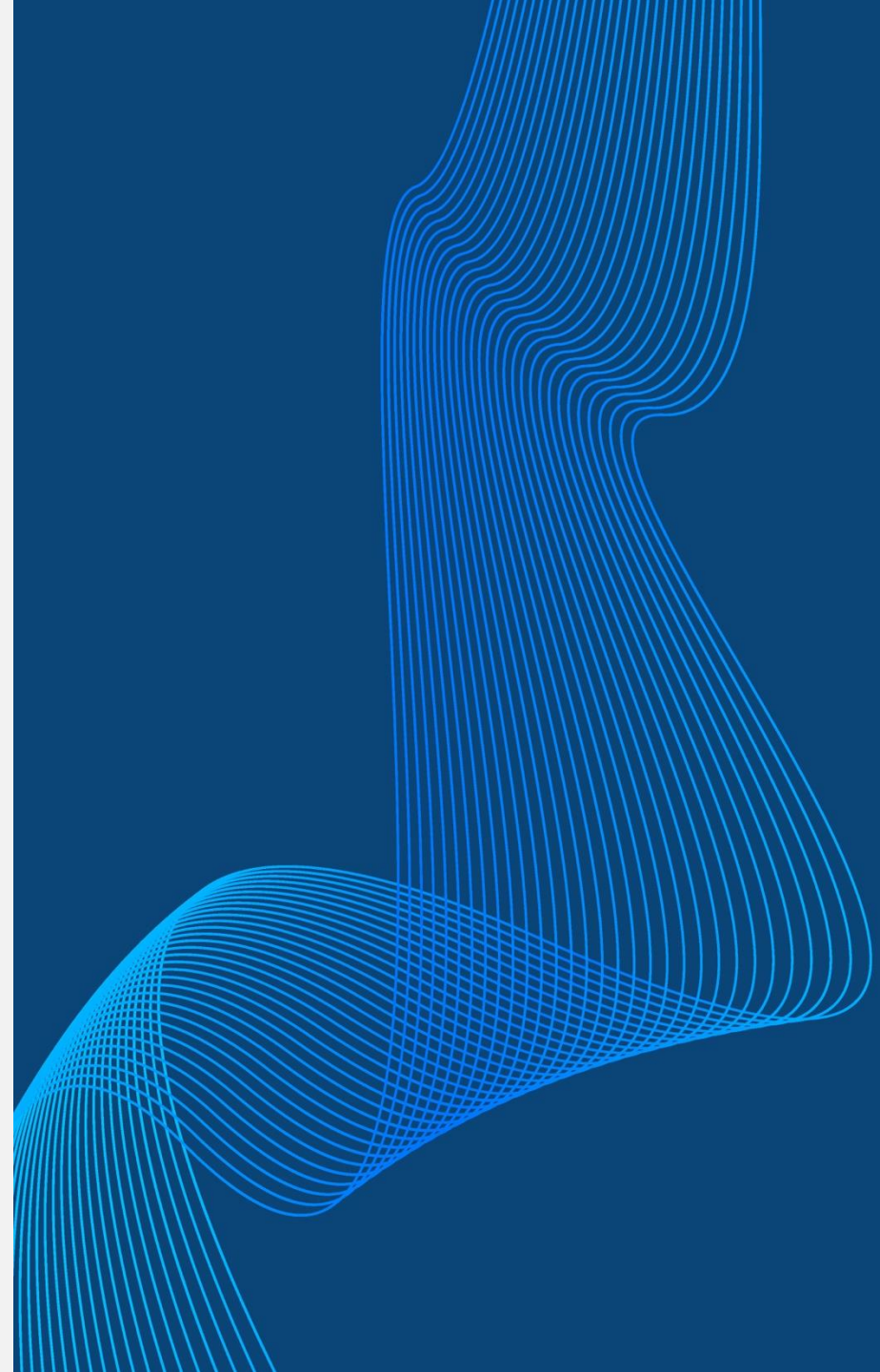
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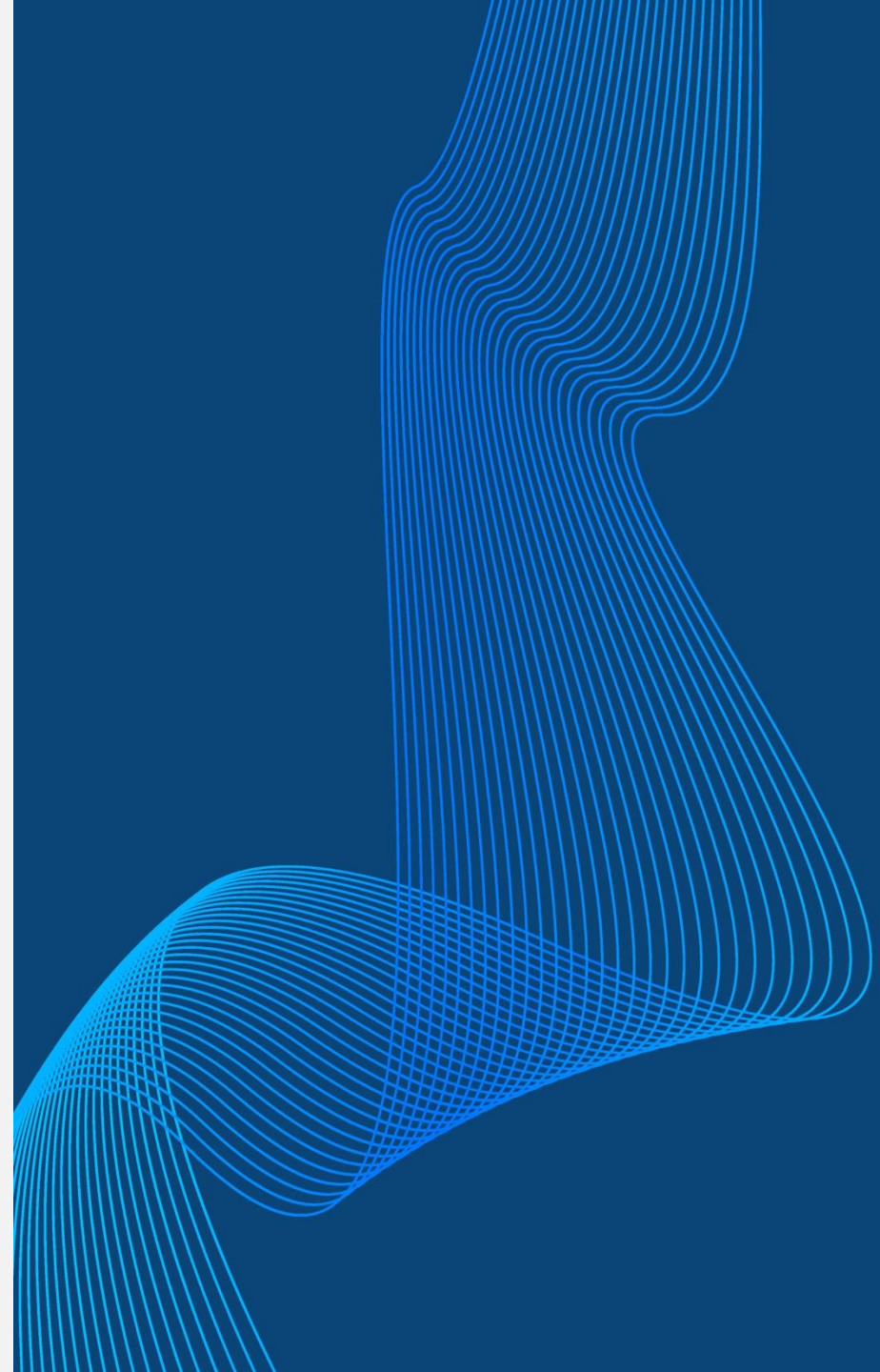
Editorial



The new regime for electric mobility in Portugal, introduced by [Decree-Law 93/2025 of August 14](#) (“**Decree-Law 93/2025**”), represents a substantial overhaul of the previous legal regime. It explicitly repeals Decree-Law 39/2010 and its amendments, aligning Portugal’s regulatory regime with Regulation (EU) 2023/1804 (“**AFIR Regulation**”).

This reform draws on over a decade of experience with a centralized, public and integrated model. Under this model, a distinction was maintained between electricity suppliers and charging point operators (“**CPOs**”), while users engaged in direct contractual relationships with suppliers. Although this approach was considered innovative at its inception, it has since proven to lack the flexibility, competitive dynamics, capacity for accommodating diverse business models, technological advancement, and responsiveness required to address evolving user demands.

This practical guide is designed for operators within the electric mobility market and businesses looking to integrate electric mobility services into their offerings, irrespective of whether these services constitute their primary focus. It provides essential insights into the sector’s key legal, operational and commercial dimensions.



Main changes >

The entry into force of Decree-Law 93/2025 brings an end to Portugal's centralized and integrated mobility model, characterized by highly regulated activities and participants, which had been in force since 2010. The newly established regime introduces enhanced flexibility and aligns Portugal's regulatory regime with the AFIR Regulation.

Key modifications








- > **Elimination of electricity trading and prior contracting requirements:** The obligation for users to enter prior contracts with suppliers (who were responsible for billing energy consumption, charging costs and taxes) has been removed, along with electricity trading for electric mobility.
- > **Introduction of ad hoc charging and payments options:** Users can now charge their vehicle and make payments directly at charging points using payment cards or QR codes.
- > **Network independence for charging operators:** Operators of publicly accessible charging points can establish their own network without being integrated into a single, centralized system. Also, the role of mobility service provider has been introduced.

- > **Replacement of Mobi.E with EDAME:** The Electric Mobility Management Entity ("**Mobi.E**") has been abolished, while the Data Aggregator Entity for Electric Mobility ("**EDAME**") has been created. EDAME is tasked with aggregating and transmitting electric mobility data to the National Access Point (operated by IMT, IP) in compliance with the AFIR Regulation.
- > **Simplified licensing processes:** Licensing processes for CPOs have been streamlined, and a regime of prior communication and tacit approval has been introduced.
- > **Redefinition of charging point categories:** The prior classification of public and private access charging points has been replaced by the distinction between publicly accessible and non-publicly accessible charging points.

These modifications provide greater flexibility for electric mobility business models, minimizing the challenges of centralized and integrated systems, whether technological, operational or financial. The reforms also improve overall user experience by enhancing transparency, enabling interactions at charging points to resemble the convenience of traditional petrol stations.

Main changes



	Management model	Electricity supplier	End user agreement	Charging point installations	Innovation and flexibility	Payments	Charging points
PREVIOUS REGIME (DECREE-LAW 39/2010)	Centralized (Mobi.E)	Mandatory Specific regulated activity	Mandatory and established with CEME	Subject to license and integration into the Mobi.E network		To the electricity supplier	Public access v. private access and all public access connected to the Mobi.E. network
NEW REGIME (DECREE-LAW 93/2025)	Liberalized, without a mandatory single network and without a management entity	Removed	Ad hoc loading without prior contract; direct relationship with CPO	Free with a license or prior notice	Incentivized (self-consumption, bidirectionality, electric mobility services beyond charging)	On-site payment to CPO	Publicly accessible v. not publicly accessible, with no obligation to connect to the integrated grid
							

Changes for electric vehicle users



Electric vehicle users now enjoy enhanced flexibility, transparency and convenience. They no longer need to enter contracts with CEME to use the public charging network. Instead, they can pay directly at the charging point when charging their vehicle. Users also benefit from upfront and transparent information about prices, charging power, conditions of use, and safety measures. Also, they have the freedom to select from various charging providers and electric mobility services, guaranteeing universal access.

In addition to supporting renewable energy by encouraging the

reduction of CO2 emissions, the new legal framework also introduces bidirectional charging (vehicle-to-grid), enabling electric vehicles to return energy back to the grid.

1



Charging point operation

The installation of publicly accessible recharging points is restricted to licensed CPOs, who must obtain a 10-year (renewable) licence from the Directorate-General for Energy and Geology (“**DGEG**”).

The licensing process has been simplified and can now be completed through prior communication with tacit approval, provided all legal and regulatory requirements are met.

The installation of charging points in public spaces requires a private use license issued by the pertinent entity, such as the local municipality.

For charging points not accessible to the public, such as those for exclusive or shared use in condominiums or companies, installation may be carried out by the site owner or by CPOs. All installations must comply with applicable technical and safety standards at all times.

KEY POINTS

- › **National license:** Issued by DGEG, valid for 10 years, and renewable.
- › **Prior communication:** Allowed for specific cases defined by ordinance, with tacit approval. Regulation of the regime is still pending.
- › **Public spaces:** Requires a private use license (e.g., municipalities and service areas).
- › **Requirements:** Civil liability insurance, initial and periodic inspections, and compliance with technical and safety standards
- › **Competition:** In service areas and municipal concessions, tender procedures must ensure a diversity of supply and the involvement of multiple charging point operators.

2



Business models

The new legal regime for electric mobility paves the way for the development of diverse and innovative business models.

The framework's increased flexibility for electric mobility activities, combined with the advancement of new technologies, enables operators, investors and companies to pursue tailored solutions that address the demands of a rapidly evolving ecosystem.

Opportunities within this framework include self-consumption of renewable energy, smart and bidirectional charging, providing grid flexibility services, developing publicly accessible private networks, integrating e-roaming platforms, and offering electric mobility services.

These models, aligned with the new legal framework, improve operational efficiency, sustainability, innovation, and value-added services, while ensuring universal and streamlined access for users.

Also, market flexibility welcomes new CPOs and business models, fostering competition and technological innovation. This naturally aims to reduce costs and enhance services for users.

This approach addresses criticisms of the previous legal framework, which was considered overly restrictive and discouraging of technological innovation and the entry of new players to the sector.

Business Models

01

Self-consumption

Charging point operators can use decentralized renewable energy production to power charging points, incorporating self-consumption solutions for both individuals and collectives.

02

Smart and bidirectional charging (vehicle-to-grid)

Legal definitions:

- **Bidirectional charging:** A smart charging process where electricity flow can reverse, enabling the transfer of electricity from the battery to the connected charging point (vehicle-to-grid).
- **Smart charging:** A charging process that dynamically adjusts electricity intensity supplied to the battery, based on data received electronically.

Recharging points, whether installed or renovated, must support both ad hoc and smart charging, in accordance with the AFIR Regulation.

Communication standards for bidirectional (vehicle-to-grid) charging at these points align with those provided in the AFIR Regulation.

03

Ad hoc charging

Ad hoc charging enables any electric vehicle user to access a public charging point and pay for the service immediately, without requiring registration, a prior contract, or an ongoing commercial relationship with operators.

Payments can be made using common electronic methods widely accepted in the European Union, such as bank cards or QR codes, ensuring simplicity, transparency and universal access across the industry.

This measure removes a key barrier from the previous legal framework, which required users to contract with an electricity supplier to access the public charging network and imposed deferred payment.

Business Models

04

Publicly accessible private networks

Charging points are considered publicly accessible when they are located in areas open to the public, regardless of access restrictions, usage conditions, or whether they are located on private or public property.

However, points located in restricted-access areas, exclusively available to individuals with a specific status, such as residents, employees or authorized users, are not considered publicly accessible.

Article 20 of the new regime restricts the installation of publicly accessible charging points to licensed CPOs.

05

Electronic roaming

Legal definitions:

- **E-roaming:** The exchange of data and payments between a charging point operator and a mobility service provider from whom an electric vehicle user purchases a recharging service.
- **E-roaming platform:** A platform that connects market participants, such as mobility service providers and CPOs, enabling service provision between them, including e-roaming.

These platforms integrate CPOs and mobility service providers into e-roaming platforms, simplifying users' access to various recharging networks.

06

Flexibility services

CPOs may offer system and flexibility services to the Public Service Electricity Grid (RESP), including on behalf of electric vehicle users, in accordance with terms to be regulated by the Energy Services Regulatory Authority (ERSE).

2



Business models: Innovation and sustainability

The new legal framework promotes several advancements in electric mobility and energy integration. Specifically, it emphasizes bidirectional charging, the use of renewable energy for self-consumption, flexibility services for the electricity grid, and the development of innovative models for electric mobility. These models include vehicle sharing; private networks accessible to the public, such as those in hotels and shopping centers; and complementary services.

The framework encourages technological innovation to facilitate the transition toward smart grids and emerging solutions, such as wireless charging, battery swapping and non-financial incentives like free parking or access to dedicated lanes. These measures underscore the critical role

incentives play in the success of electric mobility.

Under article 5 of Decree-Law 93/2025, savings from avoided CO2 emissions may be recovered by using renewable electricity for electric mobility. However, this aspect is subject to pending regulation.

This provision envisions the issuance of tradable certificates, which enable both users and CPOs to benefit from tons of CO2 emissions avoided. These certificates contribute meaningfully toward meeting renewable energy targets within the fuel and transport sectors.



Charging point operators' obligations

Although CPOs now operate with increased autonomy, they must also adhere to a greater number of obligations. These include ensuring universal and equitable access to charging infrastructure, maintaining technical security, providing transparent information, enabling ad hoc charging with electronic payment systems, obtaining civil liability insurance, carrying out regular inspections, and transmitting pertinent data to the Electronic Mobility Data Aggregation Entity (EADME).

The new legal framework for electric mobility further imposes transparency requirements, mandating the disclosure of key information such as prices, power levels, access conditions, and safety

measures related to charging points. Detailed billing for services provided is also required.

Also, CPOs are prohibited from discriminating against users or providers of electric mobility services unless this differentiation is based on strictly objective and proportional criteria, such as offering discounts under specific conditions.

Failure to comply with these obligations may result in sanctions, ranging from fines and temporary or permanent closure of charging points to other penalties.

Charging point operators' obligations

KEY POINTS

> **Universality of access**

(cf. article 13.1.a) and article 13.1.l); article 6

There must be no discrimination between users or providers.

CPOs must ensure users can access public charging points, regardless of whether they are in a contract with them.

> **Transparent information**

(cf. articles 14.1, 14.3 and 14.5)

Clearly and accessibly provide information on prices, power levels, conditions of use, and safety related to charging points.

Issue invoices that break down the charges by type of service, including all necessary elements to clarify the invoiced amounts.

> **Electronic payment**

(cf. article 13.1.l); article 6)

Ensure the acceptance of widely used payment methods within the EU, including bank cards and QR codes, for ad hoc charging.

> **Civil liability insurance**

(cf. article 27)

Maintain a civil liability insurance policy with minimum coverage amount established by ordinance to cover damages arising from carrying out the activity.

> **Inspections**

(cf. article 16)

Ensure that an initial inspection of the facilities is carried out, followed by regular inspections every five years. These inspections must be carried out by a recognized inspection entity, and a valid certificate must be provided as proof of compliance.

Reporting and transmitting data

(cf. articles 13.1.c); articles 18 and 19)

Ensure the continuous provision of both static and dynamic data from charging points to the Electronic Mobility Data Aggregation Entity (EADME), which will aggregate and transmit this information to the National Access Point.

Confidentiality of data

(cf. articles 13.1.a) and 13.1.o))

Ensure the information provided by users is kept

confidential, in accordance with applicable laws and regulations.

> **Maintenance and technical compliance** (cf. articles 13.1.d), 13.1.e) and 13.1.g))

Regularly update, renew and adapt equipment and systems to guarantee safety, interoperability and support for advanced features such as smart and bidirectional charging.

User support

(cf. article 13.1.k))

Provide support services to users while the charging points are in operation.

> **Complaints book**

(cf. article 14, paragraphs 6 and 7)

Provide a physical or electronic complaints book, as appropriate, and display information about the complaints procedure.

Charging point operators’ responsibilities | Sanctions/administrative offenses in case of noncompliance

Sanction type/ administrative offense	Description	Applicable fine (individual)	Applicable fine (legal person)	Ancillary sanctions	Legal reference (Decree-Law 93/2025)
Minor offense	Violation of less serious obligations, such as failing to provide clear information, electronic payment options, or required data reports.	€100 to €1,000	€1,500 to €15,000	—	Article 34.1
Serious administrative offense	Violation of essential obligations, such as operating without a license, failing to maintain mandatory insurance, neglecting required inspections, or excluding users.	€300 to €3,000	€4,000 to €40,000	Temporary or permanent closure of the charging point, suspension of the network connection, or revocation of the license	Article 35.1; Article 33
Negligence	Applicable to minor or serious infringements resulting from negligence.	Halving of fines	Halving of fines	—	Article 34.3; article 35.2
Directors’ liability	Members of management bodies may be held jointly and severally liable if they fail to take corrective action despite being aware of the infraction.	Same as the offending entity		—	Article 36.2

4



Regulation and supervision

The Energy Services Regulatory Authority (ERSE) continues to oversee the regulation of electric mobility activities, ensuring the protection of users' rights, monitoring the market, and approving necessary regulations.

The Mobility and Transport Authority (AMT) is responsible for tracking market trends and supervising the national distribution of charging points.

The National Entity for the Energy Sector (ENSE), alongside the AMT and public security forces (e.g., PSP), monitors compliance with applicable regulations. Noncompliance may lead to fines or other sanctions. For more information, see point 3 of the section [Charging point operators' obligations / Sanctions/administrative offenses in case of noncompliance](#).

5



Entry into force and transition between regimes

Decree-Law 93/2025 came into force on **August 19, 2025**.

To enable a smooth transition from the previous legal regime to the new one, a transitional period has been established **until December 31, 2026**. During this period, the managing entity of the previous charging network (Mobi.E) will continue to handle its responsibilities for data aggregation and transmission. Also, CPOs and electricity suppliers dedicated to electric mobility are permitted to adjust their operations in line with the new regulatory guidelines.

Communication of intent: CPOs with existing installations must declare their intent regarding the future status of their charging points; that is, whether they will remain connected to or be disconnected from the centralized network. If no declaration is made, the charging points will automatically remain integrated into the centralized network until the transitional period ends.

Integration tariff: Use of the centralized platform during the transitional period requires

payment of a tariff set annually by ERSE. Should CPOs decide to pass this cost on to users, the tariff must be clearly itemized in the respective bills.

Payment methods at installed charging points: By January 1, 2027, all public charging points with a power output of 50 kW or higher, installed and operational on the date the new decree-law enters into force, must meet universal access and payment method requirements. These requirements include the ability to contract and make ad hoc payments.

Operations by electricity suppliers: Electricity suppliers dedicated to electric mobility are authorized to start operations as CPOs or as providers of electric mobility services by notifying the DGEG.

Regulatory approvals: Ordinances specified under the decree-law must be approved within 120 days of its entry into force, corresponding to a final deadline of December 17, 2025.

6



Rules for recharging points in new and existing buildings

Mandatory electrical infrastructure for new buildings and urban operations

All new urban developments involving the construction of co-ownership buildings or other structures with parking facilities must include appropriate electrical infrastructure to support electric vehicle charging.

Although this requirement does not mandate the immediate installation of charging points, it does require the preparation of infrastructure (e.g.,

ducts, cabling and dedicated electrical panels) to enable future installations.

The minimum power specifications for charging and the technical standards for these infrastructures will be defined by ordinance.

6



Rules for charging points in new and existing buildings

Existing buildings

Any condominium owner may install charging points for exclusive or shared use within the parking spaces of existing buildings, provided the technical requirements outlined in the ordinance are met. Also, the installation must be carried out at the owner's expense.

For installations requiring access to common areas, the owner must notify the condominium administration (and, if applicable, the property owner) at least 30 days before starting the work through written communication.

The condominium administration may oppose the installation only in specific situations, including:

- the existence of a shared solution that is already in place or scheduled for installation within 90 days;
- verified risks to people or property, confirmed through a technical opinion;
- obstruction to circulation on common access roads; and
- noncompliance with applicable accessibility standards.

Condominium decision

Opposition to the installation must be decided by a simple majority of the building's total value within 30 days of receiving the communication. The decision must be communicated in writing, with detailed reasoning, to all non-attending joint-owners.

If the condominium administration decides to install a shared charging solution, it must ensure the provision of equal services, technology and support to meet the needs of all potential users.

Ownership and operation regime

The ownership and operation regime for charging points corresponds to the installation site, whether exclusive or shared.

The installation, operation and maintenance of charging points in existing buildings must meet the applicable technical and safety standards. Also, they must adhere to the prior communication regime provided for in Decree-Law 555/99 (RJUE).

6



Rules for charging points in new and existing buildings

Connection to the electricity network

The operator of the Public Service Electricity Grid (RESP) is required, upon request by the charging point operator, site owner or condominium administration, to carry out all necessary actions to connect charging points to the grid.

Autonomous measurement and supply points may be established for the charging points, even when they are connected to consumption installations that do not exclusively serve electric mobility purposes.

Installation and approval of electrical installations

Charging points not accounted for within an urban operation require prior communication in accordance with Decree-Law 555/99.

Electrical installations for charging points, including modifications to existing installations, must comply with the regime provided for in Decree-Law 96/2017, which governs private service electrical installations, as well as other applicable legislation.

Conclusion



The new legal regime for electric mobility in Portugal, established by Decree-Law 93/2025, represents a significant shift by removing administrative and contractual hurdles. It fosters greater freedom and flexibility in activities, promotes technological innovation, and enhances transparency, positioning Portugal in line with leading European standards.

This reform directly addresses challenges identified over the past decade, including issues raised by the Competition Authority, while adapting the Portuguese framework to the AFIR Regulation. The new regime establishes a more versatile, flexible and inclusive regulatory framework that promotes competition, encourages innovation and attracts investment. It is designed to keep pace with rapid technological progress and environmental imperatives while guaranteeing simpler, more transparent, and universal access for users. This transformation sets the stage for sustainable, efficient and competitive growth in the electric mobility sector.

The transitional period, extending until the end of 2026, allows for a

gradual adjustment to this new legal framework, marking a departure from the centralized and integrated network model.

However, the success of this framework will rely heavily on the sector's ability to adapt, companies' commitment to investing in new business models, the timely development of supporting regulations, and the diligent oversight of regulatory and inspection authorities.



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