**Nru. 801**

**MINISTERU GĦAT-TRASPORT, INFRASTRUTTURA U PROĠETTI KAPITALI**

**Skema tal-Gvern biex Tippromwovi l-Użu tal-LPG fil-Vetturi**

IL-MINISTERU għat-Trasport, Infrastruttura u Proġetti Kapitali, flimkien mal-Awtorità għat-Trasport f'Malta, qed iniedi skema ta' għotja ta' flus biex tippromwovi l-użu tal-LPG fil-vetturi. Din hija miżura oħra favur l-ambjent maħsuba biex ikomplu jonqsu l-emissjonijiet mit-traffiku fit-toroq.

Soġġetta għall-kundizzjonijiet t'hawn taħt, se jitħallsu l-ammonti tal-għotja li ġejjin:

€400 meta vettura li taħdem bil-petrol tal-Kategorija M1 jew N1 tiġi mmodifikata sabiex tkun tista' topera bl-LPG jew bil-petrol;

€900 meta vettura li taħdem bid-diesel tal-Kategorija M1 jew N1 tiġi mmodifikata sabiex tkun tista' topera bl-LPG u bid-diesel simultanjament;

€1,000 meta vettura li taħdem bid-diesel tal-Kategorija M2 jew N2 tiġi mmodifikata sabiex tkun tista' topera bl-LPG u bid-diesel simultanjament;

€1,500 meta vettura li taħdem bid-diesel tal-Kategorija M3 jew N3 tiġi mmodifikata sabiex tkun tista' topera bl-LPG u bid-diesel simultanjament.

L-iskema tidħol fis-seħħ fl-1 ta' Jannar 2022 u tagħlaq fil-31 ta' Diċembru 2022, jew sakemm il-baġit allokat ta' sittin elf ewro (€60,000) jiġi eżawrit.

Persuni li mmodifikaw il-vettura tagħhom sabiex topera bl-LPG skont ir-rekwiżiti stipulati f'dan id-dokument matul is-snin li għaddew u ma rċevewx għotja mill-iskemi li kienu applikabbli fil-passat, xorta jistgħu japplikaw għall-għotja. L-ammonti tal-għotjiet maħruġa jkunu dawk definiti fl-Avviż 482 għal vetturi li jaħdmu bid-diesel u fl-Avviż 479 għal vetturi li jaħdmu bil-petrol, kif maħruġa fid-9 ta' April 2021.

L-għotjiet taħt din l-iskema għandhom jingħataw fuq bażi ta' min jiġi l-ewwel jinqeda l-ewwel.

**L-ISKEMA**

**1. Interpretazzjoni**

Għall-finijiet ta' din l-iskema, sakemm ir-rabta tal-kliem ma tkunx teħtieġ xort'oħra:

**No. 801**

**MINISTRY FOR TRANSPORT, INFRASTRUCTURE AND CAPITAL PROJECTS**

**Government Scheme to Promote LPG as Fuel for Vehicles**

THE Ministry for Transport, Infrastructure and Capital Projects in conjunction with the Authority for Transport in Malta, is launching another grant scheme to promote the use of LPG as fuel for vehicles. This is another environment friendly budget measure aimed at reducing further emissions from road transport.

Subject to the below conditions, the following grant amounts shall be issued:

€400 when a petrol-powered Category M1 or N1 vehicle is retrofitted to operate on LPG or petrol;

€900 when a diesel-powered Category M1 or N1 vehicle is retrofitted to operate with LPG and diesel simultaneously;

€1,000 when a diesel-powered Category M2 or N2 vehicle is retrofitted to operate with LPG and diesel simultaneously;

€1,500 when a diesel-powered Category M3 or N3 vehicle is retrofitted to operate with LPG and diesel simultaneously.

The scheme comes into effect on the 1st of January 2022 and closes on the 31st of December 2022, or until the allocated budget of sixty thousand Euro (€60,000) is exhausted.

Persons who have modified their vehicle to operate using LPG in compliance with the requirements set out in this document during the past years and have not received a grant from the applicable grant schemes in the past, may still apply for the grant. The amount of the grants awarded will be those defined in Notice 482 for diesel-powered vehicles and Notice 479 for petrol-powered vehicles dated 9th April 2021.

The grants in this scheme shall be assigned on a first-come-first-served basis.

**THE SCHEME**

**1. Interpretation**

For the purposes of the scheme, unless the context otherwise requires:

'applikant' tfisser il-persuna li tkun qiegħda tapplika għall-għotja taħt din l-iskema u li, filwaqt li tkun persuna residenti f'Malta jew impriża stabbilita f'Malta, ikollha l-vettura reġistrata f'isimha;

'applikazzjoni' tfisser l-applikazzjoni li ssir għal għotja taħt din l-iskema;

'ċertifikat tat-tagħmir' tfisser iċ-ċertifikat maħruġ minn persuna kompetenti wara t-tagħmir ta' vettura bil-mutur b'sistema ta' provvista ta' LPG

'ċertifikat tar-reġistrazzjoni tal-vettura' tfisser iċ-ċertifikat ta' reġistrazzjoni ta' vettura maħruġ minn Transport Malta li jiċċertifika li l-vettura bil-mutur hija reġistrata u f'isem min il-vettura hija reġistrata;

'emissjoni ta' duħħan' tfisser l-emissjonijiet viżibbli minn magna tat-tqabbid bil-kompressjoni (diesel);

'għotja' tfisser l-għotja li qiegħda tingħata taħt din l-iskema lil applikant li jissodisfa r-rekwiżiti tat-taqsima 4;

'impriża stabbilita f'Malta' tfisser kull kumpanija kummerċjali, inklużi soċjetajiet bi sħubija, reġistrati f'Malta mal-Awtorità Maltija għas-Servizzi Finanzjarji, jew persuna li taħdem għal rasha skont il-liġi nazzjonali, jew koperattiva;

'impriża waħda' tinkludi, għall-iskopijiet ta' din l-iskema, l-intrapriżi kollha li jkollhom bejniethom mill-inqas waħda mir-relazzjonijiet li ġejjin:

a) intrapriża waħda li jkollha l-maġġoranza tad-drittijiet tal-vot tal-azzjonisti jew tal-membri f'intrapriża oħra;

b) intrapriża waħda li jkollha d-dritt taħtar jew tneħħi maġġoranza mill-membri tal-korp amministrattiv, tal-ġestjoni jew dak ta' sorveljanza ta' intrapriża oħra;

c) intrapriża waħda li jkollha d-dritt teżerċita influwenza dominanti fuq intrapriża oħra skont kuntratt ma' dik l-intrapriża jew skont dispożizzjoni tal-memorandum jew tal-artikoli ta' assoċjazzjoni tagħha;

d) intrapriża waħda, illi tkun azzjonista fi jew membru ta' intrapriża oħra, tikkontrolla waħedha, skont ftehim ma' azzjonisti oħra fi jew membri ta' dik l-intrapriża, maġġoranza tad-drittijiet tal-voti tal-azzjonisti jew tal-membri f'dik l-intrapriża.

L-intrapriżi li jkollhom waħda mir-relazzjonijiet imsemmijin fil-punti (a) sa (d) tal-ewwel subparagrafu permezz ta' intrapriża waħda jew aktar għandhom ukoll jitqiesu bħala impriża waħda.

'applicant' means the person applying for a grant under this scheme and who, apart from being a person residing in Malta or an undertaking established in Malta, has the vehicle registered in his/her name;

'application' means the application made for a grant under this scheme;

'certificate of retrofitting' means the certificate issued by a competent person after the retrofitting of a motor vehicle with an LPG feeding system;

'vehicle registration certificate' means the vehicle registration certificate issued by Transport Malta providing proof of registration of the motor vehicle and in whose name the vehicle is registered.

'smoke emissions' means the visible emission from a compression-ignition (diesel) engine;

'grant' means the grant being given under this scheme to an applicant who satisfies the requirements of section 4;

'undertaking established in Malta' means any commercial company, including partnerships, registered in Malta with the Malta Financial Services Authority, or a self-employed person in accordance to National Law, or a cooperative society;

'Single undertaking' includes, for the purposes of this scheme, all enterprises having at least one of the following relationships with each other:

a) one enterprise has a majority of the shareholders' or members' voting rights in another enterprise;

b) one enterprise has the right to appoint or remove a majority of the members of the administrative, management or supervisory body of another enterprise;

c) one enterprise has the right to exercise a dominant influence over another enterprise pursuant to a contract entered with that enterprise or to a provision in its memorandum or articles of association;

d) one enterprise, which is a shareholder in or member of another enterprise, controls alone, pursuant to an agreement with other shareholders in or members of that enterprise, a majority of shareholders' or members' voting rights in that enterprise.

Enterprises having any of the relationships referred to in points (a) to (d) above through one or more other enterprises shall also be considered to be a single undertaking.

'impriżi fis-settur tas-sajd u tal-akkwakultura' tfisser impriżi attivi fil-produzzjoni, l-ipproċessar u l-kummerċjalizzazzjoni ta' prodotti tas-sajd u tal-akkwakultura;

'undertakings in the fishery and aquaculture sector' means undertakings active in the production, processing and marketing of fishery and aquaculture products;

'LPG' tfisser gass taż-żejt likwifikat bi speċifikazzjonijiet skont MSA EN 589 użat għall-propulsjoni ta' vetturi bil-mutur;

'LPG' means liquefied petroleum gas with specifications according to MSA EN 589 used for the propulsion of motor vehicles;

'Malta' tfisser il-gżejjer Maltin;

'Malta' means the islands of Malta;

'persuna' tfisser persuna fiżika;

'person' means a natural person;

'persuna kompetenti' tfisser:

'competent person' means:

Fil-każ ta' sistema ta' provvista ta' LPG mgħammra fuq vettura li taħdem bil-petrol, il-persuna li hija approvata mir-Regolatur għas-Servizzi tal-Enerġija u l-Ilma biex twettaq xogħol, superviżjoni u ċertifikazzjoni relatati mal-użu tal-LPG f'vetturi bil-mutur;

in case of LPG Feeding systems installed on petrol powered vehicles, the person who is approved by the Regulator for Energy and Water Services to carry out work, supervision and certification related to the use of LPG on motor vehicles;

Fil-każ ta' sistema ta' provvista ta' LPG mgħammra fuq vettura li taħdem bid-diesel, il-persuna rikonoxxuta bħala tali mill-manifattur tat-tagħmir approvat.

in case of LPG Feeding systems installed on diesel powered vehicles, the person recognised by the manufacturer of the type approved retrofit kit;

'persuna residenti f'Malta' tfisser persuna fiżika li jkollha dokument ta' identifikazzjoni legalment validu maħruġ skont l-Att dwar il-Karta tal-Identità u Dokumenti oħra tal-Identità (Kap. 258) jew li jkollha permess ta' residenza jew ittra maħruġa mill-uffiċċju tal-espatrijazzjoni fil-Ministeru għall-Affarijiet Barranin;

'person residing in Malta' means a natural person who either holds a legally valid identification document issued in terms of the Identity Card and other Identity Documents Act (Cap. 258) or who has a residence permit or a letter issued from the expatriate office at the Ministry of Foreign Affairs;

'prodotti agrikoli' tfisser prodotti elenkati fl-Anness I tat-Trattat, bl-eċċezzjoni tal-prodotti tas-sajd u l-akkwakultura koperti bir-Regolament tal-Kunsill (KE) Nru 104/2000 tas-17 ta' Diċembru 1999 dwar l-organizzazzjoni komuni tas-swieq fil-prodotti tas-sajd u l-akkwakultura (ĠU L 17, 21.1.2000, p. 22).

'agricultural products' means products listed in Annex I to the Treaty, with the exception of fishery and aquaculture products covered by Council Regulation (EC) No 104/2000 of 17 December 1999 on the common organisation of the markets in fishery and aquaculture products (OJ L 17, 21.1.2000, p. 22);

'prodotti tas-sajd u tal-akkwakultura' tfisser il-prodotti definiti fl-Artikolu 5(a) u (b) tar-Regolament (UE) Nru 1379/2013;

'fishery and aquaculture products' means the products defined in Article 5 (a) and (b) of Regulation (EU) No 1379/2013;

'ir-Regolatur għas-Servizzi tal-Enerġija u l-Ilma' tfisser ir-regolatur għas-Servizzi tal-Enerġija u l-Ilma responsabbli għas-servizzi relatati mal-enerġija u l-ilma u sabiex jipprovdi dwar affarijiet anċillari għal dan jew konnessi ma' dan;

'Regulator for Energy and Water Services' means the Regulator responsible for services relating to energy and water, and to make provision with respect to matters ancillary thereto and connected therewith;

'sid reġistrat' tfisser il-persuna li f'isimha vettura tkun ġiet reġistrata minn Transport Malta;

'registered owner' means the person in whose name a motor vehicle is registered by Transport Malta;

'sistema ta' provvista tal-LPG' tfisser sistema li tinkludi tagħmir, tankijiet, software u kwalunkwe komponent ieħor maħsub biex jaħżen, jipprovdi, ikejjel u b'xi mod ieħor jimmaniġġja l-LPG f'vettura bil-mutur;

'LPG feeding system' means a system including equipment, tanks, software and any other component intended to store, feed, meter and in any other way handle LPG within a motor vehicle;

'Transport Malta' tfisser l-Awtorità għat-Trasport f'Malta stabbilita bl-Att dwar l-Awtorità għat-Trasport f'Malta (Kap. 499);

'valur ta' emissjonijiet ta' duħħan' jirreferi għall-kejl ta' duħħan maħruġ minn magna tat-tqabbid bil-kompressjoni (diesel) (imsejjaħ ukoll bħala 'l-valur K') permezz ta' miter tal-opaċità użat fi stazzjon awtorizzat għat-testijiet ta' affidabilità stradali skont ir-Regolamenti dwar Testijiet biex Jiċċertifikaw li Vetturi bil-Mutur huma Tajba għat-Triq (L.S. 65.15);

'vettura fil-Kategorija M1' tfisser, vettura bil-mutur użata għall-ġarr tal-passiġġieri u li tista' ġġorr mhux iktar minn tmien (8) passiġġieri apparti s-sewwieq;

'vettura fil-Kategorija M2' tfisser, vettura bil-mutur użata għall-ġarr tal-passiġġieri li tinkludi aktar minn tmien (8) sedili minbarra s-sedil tas-sewwieq u li għandha massa massima li ma taqbiżx ħames (5) tunnellati;

'vettura fil-Kategorija M3' tfisser, vettura bil-mutur użata għall-ġarr tal-passiġġieri li tinkludi aktar minn tmien (8) sedili minbarra s-sedil tas-sewwieq u li għandha massa massima ta' aktar minn ħames (5) tunnellati;

'vettura fil-kategorija N1' tfisser, vettura bil-mutur użata għall-ġarr tal-merkanzija u li għandha piż massimu permissibbli li ma jaqbiżx it-tliet tunnellati u nofs (3.5 tunnellati);

'vettura fil-Kategorija N2' tfisser, vettura bil-mutur użata għall-ġarr ta' merkanzija u li għandha massa massima li ma taqbiżx seba' tunnellati u nofs (7.5 tunnellati);

'vettura fil-Kategorija N3' tfisser, vettura bil-mutur użata għall-ġarr ta' merkanzija u li għandha massa massima ta' aktar minn seba' tunnellati u nofs (7.5 tunnellati);

'vettura bil-mutur' tfisser vettura fil-Kategorija M1, N1, M2, N2, M3 jew N3;

**2. Għal min tapplika l-iskema**

2.1. L-iskema tapplika għal persuna residenti f'Malta jew għal impriża stabbilita f'Malta. L-ebda implikazzjoni ta' għajnuna mill-Istat mhi se tinħoloq fil-każ ta' persuni fiżiċi li ma jwettqux attività ekonomika fis-sens tal-Artikolu 107 TFUE. Min-naħa l-oħra, fil-każ ta' impriżi li jwettqu attività ekonomika fit-tifsira tal-Artikolu 107 TFUE, l-assistenza se tingħata f'konformità ma' wieħed mir-Regolamenti de minimis li ġejjin (kif aktar dettaljat fit-Taqsima 5 hawn taħt):

a) Għal impriżi li huma attivi fil-produzzjoni primarja tal-prodotti agrikoli: Regolament tal-Kummissjoni (UE) Nru

'Transport Malta' means the Authority for Transport in Malta set up under the provisions of the Authority for Transport in Malta Act (Cap. 499);

'smoke emissions value' refers to the measurement of smoke emitted by a compression-ignition (diesel) engine (also referred-to as the 'K value') by means of an opacity meter used within an authorized vehicle roadworthiness testing station in terms of the Motor Vehicle Roadworthiness Test Regulations (S.L.65.15);

'Category M1 vehicle' means a motor vehicle used for the transport of persons, and which may carry no more than eight (8) passengers in addition to the driver;

'Category M2 vehicle' means a motor vehicle used for the carriage of persons comprising more than eight (8) seats in addition to the driver's seat and having a maximum mass not exceeding five (5) tonnes;

'Category M3 vehicle' means a motor vehicle used for the carriage of persons comprising more than eight (8) seats in addition to the driver's seat and having a maximum mass exceeding five (5) tonnes;

'Category N1 vehicle' means a motor vehicle used for the carriage of goods and having a maximum mass not exceeding three and a half (3.5) tonnes;

'Category N2 vehicle' means a motor vehicle used for the carriage of goods and having a maximum mass not exceeding seven and a half (7.5) tonnes;

'Category N3 vehicle' means a motor vehicle used for the carriage of goods and having a maximum mass exceeding seven and a half (7.5) tonnes;

'motor vehicle' means a Category M1, N1, M2, N2, M3 or N3 vehicle;

**2. Area of applicability**

2.1. The scheme applies to a person residing in Malta or an undertaking established in Malta. No State aid implications will arise in the case of natural persons that do not carry out an economic activity within the meaning of Article 107 TFEU. On the other hand, in the case of eligible undertakings that carry out an economic activity within the meaning of Article 107 TFEU, assistance will be provided in line with one of the following de minimis Regulations (as further detailed in Section 5 below):

a) For undertakings that are active in the primary production of agricultural products: Commission Regulation

1408/2013 tat-18 ta' Diċembru 2013 dwar l-applikazzjoni tal-Artikoli 107 u 108 tat-Trattat dwar il-Funzjonament tal-Unjoni Ewropea għall-għajnuna de minimis fis-settur tal-agrikoltura (ĠU L 352/9, 24.12.2013), kif emendat mir-Regolament tal-Kummissjoni (UE) 2019/316 tal-21 ta' Frar 2019 li jemenda r-Regolament tal-Kummissjoni (UE) Nru 1408/2013 dwar l-applikazzjoni tal-Artikoli 107 u 108 tat-Trattat dwar il-Funzjonament tal-Unjoni Ewropea għall-għajnuna de minimis fis-settur tal-agrikoltura (ĠU L 51 I/1, 22.2.2019);

b) Għal impriżi li huma attivi fis-settur tas-sajd u tal-akkwakultura: Regolament tal-Kummissjoni (UE) Nru 717/2014 tas-27 ta' Ġunju 2014 dwar l-applikazzjoni tal-Artikoli 107 u 108 tat-Trattat dwar il-Funzjonament tal-Unjoni Ewropea għall-għajnuna de minimis fis-settur tas-sajd u tal-akkwakultura (ĠU L 190/45, 28.6.2014), kif emendat mir-Regolament tal-Kummissjoni (UE) 2020/2008 tat-8 ta' Diċembru 2020 li jemenda r-Regolamenti (UE) Nru 702/2014, (UE) Nru 717/2014 u (UE) Nru 1388/2014, fir-rigward tal-perjodu ta' applikazzjoni tagħhom u aġġustamenti rilevanti oħra (ĠU L 414/15, 9.12.2020);

c) Għal impriżi li huma attivi fis-setturi l-oħra kollha: Regolament tal-Kummissjoni (UE) Nru 1407/2013 tat-18 ta' Diċembru 2013 dwar l-applikazzjoni tal-Artikoli 107 u 108 tat-Trattat dwar il-Funzjonament tal-Unjoni Ewropea għall-għajnuna de minimis (ĠU L 352/1, 24.12.2013), kif emendat mir-Regolament tal-Kummissjoni (UE) 2020/972 tat-2 ta' Lulju 2020 li jemenda r-Regolament (UE) Nru 1407/2013 fir-rigward tal-estensjoni tiegħu u li jemenda r-Regolament (UE) Nru 651/2014 fir-rigward tal-estensjoni tiegħu u l-aġġustamenti rilevanti (ĠU L 215/3, 7.7.2020).

2.2 L-applikant irid ikun is-sid reġistrat ta' vettura bil-mutur li:

(a) hija rreġistrata ma', u liċenzjata minn, Transport Malta f'isem l-applikant fid-data tat-tagħmir u fid-data tas-sottomissjoni tal-applikazzjoni għall-għotja;

(b) ġiet immodifikata biex taħdem bl-LPG minn persuna kompetenti; u

(c) fil-każ ta' vettura li taħdem bil-petrol:

tkun ġiet mgħammra b'sistema ta' provvista tal-LPG li tikkonforma mar-rekwiżiti ta' UN ECE 67 jew UN ECE 115 u ġiet approvata minn awtorità tal-approvazzjoni tat-tip awtorizzata skont ir-Regolament (UE) 2018/858, u li tippermetti lill-vettura taħdem bl-użu tal-petrol jew LPG;

(d) fil-każ ta' vettura li taħdem bid-diesel:

i. tkun ġiet mgħammra b'sistema ta' provvista tal-LPG approvata minn awtorità tal-approvazzjoni tat-tip ta'

(EU) No. 1408/2013 of 18 December 2013 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to de minimis aid in the agriculture sector (OJ L 352/9, 24.12.2013), as amended by Commission Regulation (EU) 2019/316 of 21 February 2019 amending Regulation (EU) No 1408/2013 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to de minimis aid in the agriculture sector (OJ 51 I/1, 22.2.2019);

b) For undertakings that are active in the fishery and aquaculture sector: Commission Regulation (EU) No. 717/2014 of 27 June 2014 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to de minimis aid in the fisheries and aquaculture sector (OJ L 190/45, 28.6.2014), as amended by Commission Regulation (EU) 2020/2008 of 8 December 2020 amending Regulations (EU) No 702/2014, (EU) No 717/2014 and (EU) No 1388/2014, as regards their period of application and other relevant adjustments (OJ L 414/15, 9.12.2020);

c) For undertakingss that are active in all other sectors: Commission Regulation (EU) No. 1407/2013 of 18 December 2013 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to de minimis aid (OJ L 352/1, 24.12.2013), as amended by Commission Regulation (EU) 2020/972 of 2 July 2020, amending Regulation (EU) No 1407/2013 as regards it prolongation and amending Regulation (EU) No 651/2014 as regards its prolongation and relevant adjustments (OJ L 215/3, 7.7.2020).

2.2 The applicant must be the registered owner of a motor vehicle which:

is registered with and licensed by Transport Malta in the name of the applicant on the date of retrofitting and on the date of application for the grant,

(b) has been retrofitted to operate with LPG by a competent person, and

(c) In the case of a petrol-powered vehicle:

has been equipped with an LPG feeding system that complies with the requirements of UN ECE 67 or UN ECE 115 and has been approved by an approving authority as the kind authorized in accordance with Regulation (EU) 2018/858, and that allows the vehicle to operate using petrol or LPG;

(d) In the case of a diesel-powered vehicle:

i. has been retrofitted with an LPG feeding system approved by a type-approval authority of any European

kwalunkwe Stat Membru tal-Unjoni Ewropea għall-użu fuq il-kategorija tal-vettura kkonċernata, u li tippermetti li l-magna tal-vettura taħdem b'diesel u LPG fl-istess ħin biż-żewġ fjuwils jitkejlu separatament;

ii. għandha miter viżibbli li jippermetti lill-uffiċjali ta' Transport Malta, jew lid-delegati tagħhom, jikkonfermaw li l-vettura qed titħaddem b'mod regolari bl-użu ta' fjuwil gassuż;

iii. kellha l-valur tal-emissjoni tad-duħħan tagħha mnaqqas b'mill-inqas ħamsa u għoxrin fil-mija (25%) bħala riżultat tat-tagħmir tas-sistema ta' provvista tal-LPG.

**3. Kif għandha ssir l-applikazzjoni u d-dokumenti li għandhom jiġu ppreżentati**

(a) Applikazzjoni għal għotja taħt din l-iskema għandha ssir mis-sid reġistrat wara li l-vettura bil-mutur tiġi mgħammra b'sistema ta' provvista tal-LPG minn persuna kompetenti. Formola ta' applikazzjoni għandha tiġi ppreżentata għal kull vettura li tiġi mgħammra. Is-sid reġistrat tal-vettura għandu jippreżenta l-formola ta' applikazzjoni VEH060 u għandu jinkludi kull informazzjoni, dettalji u dokumenti mitluba fl-istess formola u skont din l-iskema.

(b) Il-formoli ta' applikazzjoni jistgħu jitniżżlu mis-sit elettroniku ta' Transport Malta jew jinġabru mill-uffiċċji ta' Transport Malta f'Raħal Ġdid, Ħal Lija jew Għawdex.

(c) Applikazzjonijiet li jikkonċernaw vetturi li jaħdmu bil-petrol għandhom ikunu ffirmati u ttimbrati mill-persuna kompetenti u għandhom ikunu akkumpanjati bid-dokumenti u pagament li ġejjin:

i. kopja taċ-ċertifikat tat-tagħmir maħruġ mill-persuna kompetenti;

ii. iċ-ċertifikat tar-reġistrazzjoni oriġinali tal-vettura (il-logbook);

iii. ħlas amministrattiv ta' għaxar ewro (€10), pagabbli lil Transport Malta, għall-ħruġ ta' ċertifikat ġdid ta' reġistrazzjoni tal-vettura.

(d) Applikazzjonijiet li jikkonċernaw vetturi li jaħdmu bid-diesel għandhom ikunu ffirmati u ttimbrati mill-persuna kompetenti u għandhom ikunu akkumpanjati bid-dokumenti u pagament li ġejjin:

i. Kopja taċ-ċertifikat ta' approvazzjoni tas-sistema ta' provvista tal-LPG li tkun ġiet installata maħruġ minn Awtorità tal-approvazzjoni tat-tip ta' kwalunkwe Stat Membru tal-Unjoni Ewropea f'isem il-manifattur tal-istess sistema;

Union Member State for use on the category of the vehicle concerned, and allowing the vehicle's engine to operate with diesel and LPG simultaneously with both fuels being metered separately;

ii. has a visible meter allowing Transport Malta officers, or their delegates, to confirm that the vehicle is being regularly run using gaseous fuel;

iii. had its smoke emission value reduced by at least twenty five percent (25%) because of the retrofitting of the LPG feeding system.

**3. Manner of application and supporting documents**

(a) An application for a grant under this scheme shall be made by the registered owner of a vehicle following the retrofitting of an LPG feeding system on that vehicle by a competent person. One application form shall be submitted for each retrofitted vehicle. The registered owner shall submit the application form VEH060 and shall include all the information, details and documents as required in the said form and in terms of this scheme.

(b) Application forms may be downloaded from Transport Malta's website or collected from Transport Malta's offices in Paola, Lija or Gozo.

(c) Applications concerning petrol-powered vehicles shall be signed and stamped by the competent person and shall be accompanied by the following documents and payment:

i. a copy of the certificate of retrofitting issued by the competent person;

ii. the original vehicle's registration certificate (logbook);

iii. an administrative fee of ten Euro (€10), payable to Transport Malta, for the issue of a new registration certificate.

(d) Applications concerning diesel-powered vehicles shall be signed and stamped by the competent person and shall be accompanied by the following documents and payment:

i. a copy of the approval certificate for the retrofitted feeding system issued by a Type-Approval Authority of any European Union Member State on behalf of the manufacturer of the same system;

ii. Kopja tal-istruzzjonijiet għall-kalibrazzjoni u installazzjoni ppubblikati mill-manifattur tas-sistema ta' provvista tal-LPG;

iii. fil-każ fejn iċ-ċertifikat tal-approvazzjoni msemmi hawn fuq ma jkunx japplika għall-użu tal-LPG, dikjarazzjoni mill-manifattur li s-sistemi li jkunu se jinbiegħu fis-suq Malti se jkunu addattati biex jaħdmu bl-LPG;

iv. dikjarazzjoni mill-manifattur tas-sistema ta' provvista tal-LPG li tirrikonoxxi lill-persuna li jkun għammar il-vettura bħala persuna kompetenti;

v. kopja taċ-ċertifikat tat-tagħmir maħruġ mill-persuna kompetenti;

vi. iċ-ċertifikat tar-reġistrazzjoni oriġinali tal-vettura (il-logbook);

vii. riżultat tat-test tal-emissjonijiet tal-VRT maħruġ meta l-vettura mmodifikata taħdem bid-diesel biss (Riżultat Diesel Biss);

viii. riżultat tat-test tal-emissjonijiet tal-VRT maħruġ meta l-vettura mmodifikata taħdem b'żewġ fjuwils (Riżultat-Dual-Fuel);

ix. ħlas amministrattiv ta' għaxar ewro (€10), pagabbli lil Transport Malta, għall- ħruġ ta' ċertifikat ġdid ta' reġistrazzjoni tal-vettura.

(e) Applikazzjonijiet taħt din l-iskema, flimkien mad-dokumenti rilevanti kollha, għandhom jiġu ppreżentati mill-applikant bejn is-07.30 ta' filgħodu u s-1.00 ta' wara nofsinhar, matul il-ġranet tax-xogħol, jew jintbagħtu bil-posta lid-Dipartiment dwar il-Liċenzjar ta' Sewwieqa u Vetturi lid-Driver and Vehicle Licensing Unit (DVLU) ta' Transport Malta fil-:

i. Livell 1, A3 Towers, Triq l-Arkata, Raħal Ġdid, PLA1211;

ii. Malta Transport Centre, Triq il-Pantar, Ħal Lija, LJA2021; jew

iii. Transport Malta, Pjazza San Franġisk, ir-Rabat, Għawdex.

**4. Eliġibbiltà**

(a) Biex ikun eliġibbli, l-applikant għandu jkun konformi mat-Taqsima 2.

(b) Biex tikkwalifika, il-vettura bil-mutur:

ii. A copy of the calibration and installation instructions published by the manufacturer of the LPG feeding system;

iii. in the case where the above-mentioned approval certificate does not apply for the use of LPG, a declaration from the manufacturer of the systems stating that the systems to be sold on the Maltese market will be adapted to operate with LPG;

iv. A declaration by the manufacturer of the LPG Feeding System recognising the person who retrofitted the vehicle as a competent person;

v. a copy of the certificate of retrofitting issued by the competent person;

vi. the original vehicle's registration certificate (logbook);

vii. a VRT emissions test result issued when the retrofitted vehicle is running on Diesel only (Diesel-Only Result);

viii. a VRT emissions test result issued when the retrofitted vehicle is running on Dual-Fuel mode (Dual-Fuel Result);

ix. an administrative fee of ten Euro (€10), payable to Transport Malta, for the issue of a new vehicle registration certificate.

(e). Applications under this scheme, together with all the relevant documents, shall be submitted by the applicant during working days between 07:30 and 13:00 or mailed to Transport Malta's Driver and Vehicle Licensing Unit (DVLU) at:

i. Level 1, A3 Towers, Arcade Street, Paola, PLA1212;

ii. Malta Transport Centre, Pantar Road, Ħal Lija, LJA2021; or

iii. Transport Malta, St.Francis Square, Victoria, Gozo.

**4. Eligibility**

(a) To be eligible, an applicant shall conform with Section 2.

(b) To qualify, the motor vehicle:

i. għandha tkun irreġistrata f'isem l-applikant fid-data li fiha ssir l-installazzjoni u fid-data tal-applikazzjoni għall-għotja; u

ii. għandha tkun konformi mat-Taqsima 2.

(c) Applikanti jkunu intitolati għal massimu ta' għaxar (10) għotjiet taħt din l-iskema.

**5. Ħlas tal-għotja**

Fejn l-applikant jikkwalifika għall-għotja, l-għotja titħallas direttament lill-applikant. L-għotja li tingħata m'għandhiex tkun stmata bħala dħul għal skopijiet ta' taxxa fuq id-dħul.

Fil-każ ta' applikazzjoni minn impriża, il-ħlas għandu jsir biss jekk l-għajnuna totali *de minimis* mogħtija lil xi impriża waħda ma taqbiżx il-limiti stabbiliti fir-Regolament De Minimis applikabbli kif deskritt fit-Taqsima 2.1 hawn fuq.

Skont l-attività tal-applikant, il-limiti de minimis huma kif ġej:

(a) Għal impriżi li huma attivi fil-produzzjoni primarja tal-prodotti agrikoli, l-ammont totali ta' għajnuna de minimis mogħtija lil xi impriża waħda m'għandux ikun iktar minn €20,000 fuq kwalunkwe perjodu ta' tliet snin fiskali;

(b) Għal impriżi li huma attivi fis-settur tas-sajd u tal-akkwakultura, l-ammont totali ta' għajnuna de minimis mogħtija lil xi impriża waħda m'għandux ikun iktar minn €30,000 fuq kwalunkwe perjodu ta' tliet snin fiskali;

(c) Għal impriżi li huma attivi fis-setturi l-oħra kollha, l-ammont totali ta' għajnuna de minimis mogħtija lil xi impriża waħda m'għandux ikun iktar minn €200,000 (jew €100,000 fil-każ ta' xi impriża waħda li twettaq trasport tal-merkanzija bit-triq b'kiri jew bi ħlas) fuq kwalunkwe perjodu ta' tliet snin fiskali.

Il-limitu massimu jkun jinkludi l-għajnuna mill-Istat mogħtija taħt din l-iskema ta' għajnuna u kull miżura oħra ta' għajnuna mill-Istat mogħtija taħt ir-regoli *de minimis* inkluż dawk riċevuti minn kwalunkwe entità apparti Transport Malta matul perjodu ta' tliet snin fiskali. Kwalunkwe għajnuna *de minimis* riċevuta li taqbeż il-limitu massimu stabbilit trid tiġi rkuprata, bl-imgħax, mingħand l-impriża li tirċievi l-għajnuna.

L-applikanti kollha li huma impriża għandhom jimlew u jissottomettu, flimkien mal-formola tal-applikazzjoni, formola ta' dikjarazzjoni de minimis iffirmata li tkun tindika kull għajnuna de minimis riċevuta matul is-sena fiskali attwali u l-aħħar sentejn fiskali.

i. shall be registered in the applicant's name on the date of conversion and the date of application for the grant; and

ii. shall conform with Section 2.

(c) Applicants shall be entitled for up to ten (10) grants under this scheme.

**5. Payment of Grant**

Where an applicant qualifies for the grant, the grant shall be paid directly to the applicant. The grant given shall not be assessed as income for income tax purposes.

In the case of an application from an undertaking, payment shall be affected only if the total amount of *de minimis* aid granted to a single undertaking does not exceed the thresholds established in the applicable De Minimis Regulation as outlined in Section 2.1 above.

Depending on the applicant's activity, the de minimis thresholds are as follows:

(a) For undertakings active in the primary production of agricultural products, the total amount of de minimis aid granted to a single undertaking shall not exceed €20,000 over any period of three fiscal years;

(b) For undertakings active in the fishery and aquaculture sector, the total amount of de minimis aid granted to a single undertaking shall not exceed €30,000 over any period of three fiscal years;

(c) For all other undertakings, the total amount of de minimis aid shall not exceed €200,000 per single undertaking (or €100,000 in the case of single undertakings performing road freight transport for hire or reward) over any period of three fiscal years.

This maximum threshold would include all State aid granted under this aid scheme and any other State aid measure granted under the de minimis rule including that received from any entity other than Transport Malta over a period of three fiscal years. Any de minimis aid received in excess of the established applicable threshold will have to be recovered, with interest, from the undertaking receiving the aid.

All applicants which are an undertaking are to fill in and submit, together with the application form, a signed de minimis declaration form indicating any de minimis aid received during the current fiscal year and the previous two fiscal years.

**6. Validità tal-applikazzjoni**

Applikazzjoni m'għandhiex titqies li tkun ġiet sottomessa mill-applikant sakemm ma tkunx mimlija kompletament u tkun akkumpanjata mid-dokumenti rilevanti kollha. Jekk l-applikazzjoni ma tkunx mimlija b'mod korrett u d-dokumenti rilevanti ma jkunux inklużi, it-talba għall-għotja m'għandhiex tiġi pproċessata sakemm ma tingħatax l-informazzjoni nieqsa. Transport Malta għandha tikteb lill-applikant biex tavżah dwar l-informazzjoni meħtieġa.

**7. Rifużjoni tal-għotja jekk it-tagħmir jitneħħa jew jiġi diżattivat**

Persuna jew impriża li tirċievi għotja taħt din l-iskema tkun obbligata li tagħti lura din l-għotja lil Transport Malta jekk f'perjodu ta' mill-inqas sitta u tletin (36) xahar mid-data tal-approvazzjoni tal-għotja:

(a) Is-sid ta' vettura li tkun ġiet mgħammra b'sistema ta' provvista tal-LPG jagħmel talba lil Transport Malta biex titneħħa s-sistema; jew

(b) Ikun ippruvat li din is-sistema kienet imneħħija, imbagħbsa, jew diżattivata b'xi mod.

Barra minn hekk, fil-każ ta' vetturi li jaħdmu bid-diesel biss, dan l-obbligu ta' rifużjoni għandu japplika wkoll jekk:

(a) ikun ippruvat li din is-sistema ma kinitx qed tintuża kif xieraq kif muri mill-apparat tal-kejl tas-sistema; jew

(b) jirriżulta li l-apparat tal-kejl tas-sistema tneħħa jew ġie mbagħbas; jew

(c) l-istiker tas-sigurtà tkun tneħħiet.

**8. Tul tal-iskema**

Din l-iskema għandha tibqa' fis-seħħ sal-31 ta' Diċembru 2022, sakemm ma tkunx modifikata jew mitmuma minn qabel b'Avviż fil-Gazzetta tal-Gvern. Din l-iskema ta' għotja għandha titqies bħala mitmuma meta jintuża l-baġit rispettiv. Minkejja dan, il-Gvern jista' jtemm l-iskema fi kwalunkwe ħin billi jagħti avviż minn qabel.

L-iskema tista' tiġġedded kif meqjus neċessarju mill-Ministru għat-Trasport, Infrastruttura u Proġetti Kapitali permezz ta' Avviż fil-Gazzetta tal-Gvern.

**9. Emendi għall-iskema**

Il-Ministru għat-Trasport, Infrastruttura u Proġetti Kapitali jista' jagħmel kull emenda għal din l-iskema permezz ta' Avviż fil-Gazzetta tal-Gvern.

**6. Validity of application**

An application shall not be deemed to have been submitted by the applicant unless it is completed in full and is accompanied by all the relevant documents. If the application is not completed correctly and the relevant documents are not included, the claim for the grant shall not be processed until the missing information is provided. Transport Malta shall write to the applicant advising him of the information required.

**7. Refund of grant if the retrofitting is removed or disabled**

A person or undertaking who receives a grant under this scheme shall be obliged to refund such grant to Transport Malta if within a period of at least thirty-six (36) months from the date of the grant's approval:

(a) the owner of a vehicle on which an LPG feeding system had been retrofitted makes a request to Transport Malta to have the system removed; or

(b) It is proven that this system was either removed, tampered with, or disabled in any way.

Moreover, in the case of diesel-powered vehicles only, this refund obligation shall also apply if:

(a) it is proven that this system was not being used appropriately as evidenced from the system's metering device; or

(b) it results that the system's metering device has been removed or tampered with; or

(c) the security sticker has been removed.

**8. Duration of scheme**

This scheme shall remain in force until the 31st of December, 2022 unless modified or terminated beforehand by a Notice in the Government Gazette. This grant scheme shall be considered as terminated when the respective budget is used. Notwithstanding, Government may terminate the scheme at any time by giving prior notice.

The scheme may be renewed as deemed necessary by the Minister for Transport, Infrastructure and Capital Projects by a Notice in the Government Gazette.

**9. Amendments to the scheme**

The Minister for Transport, Infrastructure and Capital Projects may make any amendments to this scheme by a Notice in the Government Gazette.

**10. Talbiet b'qerq**

Fejn tinstab talba għall-għotja li tkun saret b'qerq, Transport Malta tista' tibda proċeduri kriminali kontra dawk responsabbli. Fil-każ ta' ħlas żbaljat ta' talba, Transport Malta tirriżerva d-dritt li tirkupra l-fondi mħallsa bi żball.

**11. Persuni kompetenti**

Lista aġġornata tal-persuni li huma approvati mir-Regolatur għas-Servizzi tal-Enerġija u l-Ilma biex iwettqu xogħol, superviżjoni u ċertifikazzjoni relatati mal-użu tal-LPG f'vetturi bil-mutur tista' tinstab fuq il-website tar- Regolatur għas-Servizzi tal-Enerġija u l-Ilma' tfisser ir-regolatur għas-Servizzi tal-Enerġija, kif ġej: (http://downloads.rews.org.mt/files/1698667f-4dda-41a2-8dcd-c3b97614df62_65e6018b-4e84-4931-876a-957a8f976fe4.pdf).

**10. Fraudulent claims**

Where a fraudulent claim arises, Transport Malta may institute criminal proceedings against those responsible. In the event of an incorrect payment of a claim, Transport Malta reserves the right to recover funds paid in error.

**11. Competent persons**

An updated list of the persons who are approved by the Regulator for Energy and Water Services to carry out work, supervision and certification related to the use of LPG on motor vehicles may be obtained from the website of the Regulator for Energy and Water Services: (http://downloads.rews.org.mt/files/1698667f-4dda-41a2-8dcd-c3b97614df62_65e6018b-4e84-4931-876a-957a8f976fe4.pdf)

Il-5 ta' Lulju, 2022

**Nru. 802**

**MINISTERU GĦAT-TRASPORT, INFRASTRUTTURA U PROĠETTI KAPITALI**

**Skema ta' Għotja mill-Gvern, inkluża l-Iskema ta' l-iSkrappjar, għax-Xiri ta' Muturi Ġodda tal-Kategorija L li jaħdmu bil-Petrol, għal Persuni, Kunsilli Lokali, Organizzazzjonijiet Volontarji u Impriżi**

IL-MINISTERU għat-Trasport, Infrastruttura u Proġetti Kapitali, flimkien mal-Awtorità għat-Trasport f'Malta (Transport Malta) qed jippubblikaw skema ta' għotjiet finanzjarji mmirata lejn persuni li jgħixu f'Malta, Kunsilli Lokali, organizzazzjonijiet volontarji, u impriżi stabbiliti f'Malta sabiex tkompli tippromwovi l-użu ta' Muturi ġodda tal-Kategorija L li jaħdmu bil-Petrol.

L-iskema għandha l-għan li tnaqqas l-għadd ta' vetturi bil-mutur konvenzjonali qodma mit-triq u hija soġġetta għall-kundizzjonijiet stipulati f'dan id-dokument. L-għotja għandha tappoġġa x-xiri ta' mopeds, muturi, triċikli u kwadriċikli ġodda li jaħdmu bil-petrol.

L-għotja tinkludi skema tal-iskrappjar maħsuba biex tipprovdi aktar appoġġ finanzjarju lill-applikanti li, waqt li jixtru u jirreġistraw Mutur ġdid tal-Kategorija L li jaħdem bil-petrol, ineħħu mir-reġistrazzjoni vettura fil-kategorija L, M1 jew N1 li jkollha aktar minn 10 snin mis-sena tal-manifattura tagħha.

L-iskema hija meqjusa li daħlet fis-seħħ mill-1 ta' Jannar 2022 u hija fuq bażi ta' min jiġi l-ewwel jinqeda l-ewwel. Din l-iskema għandha tibqa' fis-seħħ sal-31 ta' Diċembru 2022 jew sakemm il-baġit allokat ikun eżawrit, sakemm

5th July, 2022

**No. 802**

**MINISTRY FOR TRANSPORT, INFRASTRUCTURE AND CAPITAL PROJECTS**

**Government Grant Scheme, including Scrappage Scheme, for the Purchase of New Category L Petrol Motorcycles, for Persons, Local Councils, Voluntary Organisations and Undertakings**

THE Ministry for Transport, Infrastructure and Capital Projects, together with the Authority for Transport in Malta (Transport Malta) is publishing a financial grant scheme aimed at persons residing in Malta, Local Councils, voluntary organisations, and undertakings established in Malta to further promote the uptake of new Category L Petrol Motorcycles.

The scheme aims at reducing the number of older conventional motor vehicles from the road and is subject to the conditions stipulated in this document. The grant shall support the purchase of new mopeds, motorcycles, tricycles, and quadricycles powered by petrol.

The grant includes a scrappage scheme intended to provide further financial support to applicants who, while purchasing and registering a Category L Petrol Motorcycle, deregister a vehicle in category L, M1 or N1 which is older than 10 years from its year of manufacture.

The grant is deemed to have come into effect as of the 1st of January 2022 and is on a first come first served basis. This grant shall remain in force until the 31st of December 2022 or until the allocated budgeted funds are exhausted

ma jiġux modifikati jew mitmuma minn qabel b'Avviż fil-Gazzetta tal-Gvern.

Il-baġit allokat għal din l-iskema jammonta għal tliet mija u sebgħin elf ewro (€370,000).

**L-Iskema**

**1. Interpretazzjoni**

Għall-finijiet ta' din l-għotja, sakemm il-kuntest ma jitlobx mod ieħor:

'applikant' tfisser il-persuna residenti f'Malta, il-Kunsill Lokali, l-organizzazzjoni volontarja, jew l-impriża stabbilita f'Malta li tapplika għall-għotja taħt din l-iskema, u li hija x-xerrej ta' Mutur ġdid tal-Kategorija L li jaħdem bil-petrol kif definit hawn taħt;

'applikazzjoni' tfisser l-applikazzjoni magħmula għal għotja jew għotjiet taħt din l-iskema;

'bejjiegħ' tfisser aġent jew negozjant kif definit taħt din l-iskema;

'ċertifikat ta' reġistrazzjoni ta' vetturi' tfisser iċ-ċertifikat ta' reġistrazzjoni tal-vettura maħruġ minn Transport Malta li jipprovdi prova tar-reġistrazzjoni tal-vettura bil-mutur skont l-Att dwar ir-Reġistrazzjoni u l-Liċenzjar ta' Vetturi bil-Mutur skont il-liġijiet ta' Malta (KAP. 368);

'għotja' tfisser l-għotja li tingħata taħt din l-iskema lil applikant li jissodisfa r-rekwiżiti tat-taqsima 4;

'impriża stabbilita f'Malta' tfisser kull kumpanija kummerċjali inklużi sħubijiet reġistrati f'Malta mal-Awtorità għas-Servizzi Finanzjarji ta' Malta, jew persuna li taħdem għal rasha skont il-Liġi Nazzjonali, jew soċjetà kooperattiva;

'impriżi fis-settur tas-sajd u tal-akkwakultura' tfisser impriżi attivi fil-produzzjoni, l-ipproċessar u l-kummerċjalizzazzjoni tal-prodotti tas-sajd u tal-akkwakultura;

'Impriża waħda' tinkludi, għall-finijiet ta' din l-iskema, l-intrapriżi kollha li għandhom mill-inqas waħda mir-relazzjonijiet li ġejjin ma' xulxin:

a) intrapriża waħda għandha maġġoranza tad-drittijiet tal-vot tal-azzjonisti jew tal-membri f'intrapriża oħra;

b) intrapriża waħda għandha d-dritt li taħtar jew tneħħi maġġoranza tal-membri tal-korp amministrattiv, maniġerjali jew superviżorju ta' intrapriża oħra;

unless modified or terminated beforehand by a Notice in the Government Gazette.

The allocated budget for this scheme amounts to three hundred seventy thousand Euro (€370,000).

**The Scheme**

**1. Interpretation**

For the purpose of this grant, unless the context otherwise requires:

'applicant' means the person residing in Malta, Local Council, voluntary organisation, or undertaking established in Malta applying for the grant under this scheme, and is the purchaser of a Category L Petrol Motorcycle as defined hereunder;

'application' means the application made for a grant or grants under this scheme;

'seller' means an agent or dealer as defined under this scheme;

'vehicle registration certificate' means the vehicle registration certificate issued by Transport Malta providing proof of registration of the motor vehicle in accordance with the Motor Vehicles Registration and Licensing Act under the laws of Malta (CAP. 368);

'grant' means the grant being given under this scheme to an applicant who satisfies the requirements of section 4;

'undertaking established in Malta' means any commercial company including partnerships registered in Malta with the Malta Financial Services Authority, or a self-employed person in accordance with National Law, or a cooperative society;

'undertakings in the fishery and aquaculture sector' means undertakings active in the production, processing and marketing of fishery and aquaculture products;

'Single undertaking' includes, for the purposes of this scheme, all enterprises having at least one of the following relationships with each other:

a) one enterprise has a majority of the shareholders' or members' voting rights in another enterprise;

b) one enterprise has the right to appoint or remove a majority of the members of the administrative, management or supervisory body of another enterprise;

c) intrapriża waħda għandha d-dritt li teżerċita influwenza dominanti fuq intrapriża oħra skont kuntratt imdaħħal ma' dik l- intrapriża jew għal dispożizzjoni fil-memorandum jew l-artikoli ta' assoċjazzjoni tagħha;

d) intrapriża waħda, li hija azzjonista fi jew membru ta' intrapriża oħra, tikkontrolla waħedha, skont ftehim ma' azzjonisti oħra fi jew membri ta' dik l- intrapriża, maġġoranza tad-drittijiet tal-vot tal-azzjonisti jew tal-membri f'dik l-impriża.

L-intrapriżi li għandhom xi waħda mir-relazzjonijiet imsemmija fil-punti (a) sa (d) hawn fuq permezz ta' intrapriża waħda jew aktar għandhom jitqiesu wkoll bħala impriża waħda.

'Kunsill Lokali' tfisser Gvern Lokali kif definit fl-Att dwar il-Gvern Lokali (KAP. 363);

'l-ewwel reġistrazzjoni' għandha tinkludi r-reġistrazzjoni ta' vettura għall-ewwel darba f'isem persuna residenti f'Malta jew impriża stabbilita f'Malta fejn il-vettura kkonċernata kienet irreġistrata għall-ewwel darba f'Malta;

'Malta' tfisser il-gżejjer Maltin;

'Mutur ġdid tal-Kategorija L li jaħdem bil-petrol' tfisser vettura tal-Kategorija L li qatt ma ġiet irreġistrata f'xi pajjiż u li hija mmexxija minn magna ta' kombustjoni interna li taħdem bil-petrol;

'negozjant' jew 'aġent' tfisser persuna jew entità awtorizzata li timporta, tbigħ jew tixtri vetturi bil-mutur

'organizzazzjoni volontarja' għandha l-istess tifsira mogħtija lilha fl-Att dwar l-Organizzazzjonijiet Volontarji (KAP. 492).

'persuna residenti f'Malta' tfisser persuna li jew għandha dokument ta' identifikazzjoni legalment validu maħruġ skont l-Att dwar il-Karta tal-Identità u Dokumenti tal-Identità oħra (KAP. 258) jew li għandha permess ta' residenza jew ittra maħruġa mill-uffiċċju espatrijat fil-Ministeru għall-Intern, is-Sigurtà Nazzjonali u l-Infurzar tal-Liġi;

'prodotti agrikoli' tfisser prodotti elenkati fl-Anness I tat-Trattat, bl-eċċezzjoni tal-prodotti tas-sajd u l-akkwakultura koperti bir-Regolament tal-Kunsill (KE) Nru 104/2000 tas-17 ta' Diċembru 1999 dwar l-organizzazzjoni komuni tas-swieq fil-prodotti tas-sajd u l-akkwakultura (ĠU L 17, 21.1.2000, p. 22).

'prodotti tas-sajd u tal-akkwakultura' tfisser il-prodotti definiti fl-Artikolu 5(a) u (b) tar-Regolament (UE) Nru 1379/2013;

c) one enterprise has the right to exercise a dominant influence over another enterprise pursuant to a contract entered with that enterprise or to a provision in its memorandum or articles of association;

d) one enterprise, which is a shareholder in or member of another enterprise, controls alone, pursuant to an agreement with other shareholders in or members of that enterprise, a majority of shareholders' or members' voting rights in that enterprise.

Enterprises having any of the relationships referred to in points (a) to (d) above through one or more other enterprises shall also be considered to be a single undertaking.

'Local Council' means a Local Government as defined in the Local Government Act (CAP. 363);

'first registration' shall include the registration of a vehicle for the first time in the name of a person residing in Malta or an undertaking established in Malta where the vehicle concerned was registered for the first time in Malta;

'Malta' means the Maltese Islands;

'new Category L Petrol Motorcycle' means a Category L vehicle which has never been registered in any country and which is propelled by an internal combustion engine powered with petrol;

'dealer' or 'agent' means a person or entity authorised to import, sell, or buy motor vehicles

'voluntary organisation' has the same meaning given to it in the Voluntary Organisations Act (CAP. 492).

'person residing in Malta' means a person who either holds a legally valid identification document issued in terms of the Identity Card and other Identity Documents Act (CAP. 258) or who has a residence permit or a letter issued from the expatriate office at the Ministry for Home Affairs, National Security and Law Enforcement;

'agricultural products' means products listed in Annex I to the Treaty, with the exception of fishery and aquaculture products covered by Council Regulation (EC) No 104/2000 of 17 December 1999 on the common organisation of the markets in fishery and aquaculture products (OJ L 17, 21.1.2000, p. 22);

'fishery and aquaculture products' means the products defined in Article 5 (a) and (b) of Regulation (EU) No 1379/2013;

'sid irreġistrat' tfisser il-persuna, il-Kunsill Lokali, l-organizzazzjoni volontarja jew l-impriża li f'isimha tkun irreġistrata vettura mill-Awtorità;

'tneħħija mir-reġistrazzjoni' tfisser, għall-finijiet ta' din l-skema, it-tneħħija permanenti ta' vettura mir-reġistrazzjoni tagħha mal-Awtorità għat-Trasport f'Malta u wara, dik il-vettura ma għandha qatt terġa' tiġi rreġistrata biex tintuża fit-triq f'Malta;

'Transport Malta' tfisser l-Awtorità għat-Trasport f'Malta mwaqqfa skont id-dispożizzjonijiet tal-Att dwar l-Awtorità għat-Trasport f'Malta (KAP. 499);

'Unjoni Ewropea' għandha l-istess tifsira mogħtija lilha bl-artikolu 2 tal-Att dwar l-Unjoni Ewropea (Kap. 460), u tinkludi n-Norveġja, l-Iżlanda u l-Liechtenstein;

'vettura li tneħħiet mir-reġistrazzjoni' tfisser vettura fil-Kategorija L, M1 jew N1 li tneħħitilha r-reġistrazzjoni;

'vettura tal-Kategorija L' tfisser vettura b'żewġ jew tliet roti jew kwadriċikli li jaqgħu fil-kamp ta' applikazzjoni tar-Regolament (UE) Nru 168/2013 tal-Parlament Ewropew u tal-Kunsill tal-15 ta' Jannar 2013 dwar l-approvazzjoni u s-sorveljanza tas-suq ta' vetturi b'żewġ jew tliet roti u kwadriċikli, kif emendat.

'vettura tal-Kategorija M1' tfisser vettura bil-mutur użata għall-ġarr ta' persuni u li tista' iġġorr mhux aktar minn tmien passiġġieri minbarra s-sewwieq;

'vettura tal-Kategorija N1' tfisser vettura bil-mutur użata għall-ġarr ta' merkanzija u li għandha massa massima li ma taqbiżx it-tliet tunnellati u nofs (3.5);

'xerrej' tfisser persuna residenti f'Malta, Kunsill Lokali, organizzazzjoni volontarja, jew impriża stabbilita f'Malta li tixtri l-vettura minn pajjiż ieħor jew mill-aġent jew negozjant lokali, li jkollha dik il-vettura rreġistrata f'isimha u li tkun l-applikant għall-għotja taħt din l-iskema;

**2. Qasam ta' applikabbiltà**

2.1 L-iskema għal għotja finanzjarja għax-xiri ta' Muturi ġodda tal-Kategorija L li jaħdmu bil-petrol kif definit hawn fuq, tapplika għal kull persuna residenti f'Malta, Kunsill Lokali, organizzazzjoni volontarja, jew impriża stabbilita f'Malta.

2.2 L-iskema tippermetti taħlita ta' xiri ta' muturi ġodda tal-Kategorija L li jaħdmu bil-petrol, u tibdil ta' vetturi antiki.

2.3 L-ammont totali tal-għotja maħruġ lill-applikanti għal xi waħda minn dawn l-għotjiet ma għandux jaqbeż il-prezz tax-xiri tal-mutur ġdid tal-Kategorija L li jaħdem bil-petrol.

'registered owner' means the person, Local Council, voluntary organisation or undertaking on whose name a vehicle is registered by the Authority;

'de-registered' means, for the purpose of this scheme, the permanent removal of a motor vehicle from its registration with Transport Malta and thereafter, that motor vehicle shall never be registered again to be used on the road in Malta

'Transport Malta' means the Authority for Transport in Malta set up under the provisions of the Authority for Transport in Malta Act (CAP. 499);

'European Union' has the same meaning as is assigned to it by article 2 of the European Union Act (Cap. 460), and includes Norway, Iceland and Liechtenstein;

'de-registered vehicle' means a Category L or M1 or N1 motor vehicle which has been de-registered;

'Category L vehicle' means a two- or three-wheel vehicle or quadricycles falling within the scope of Regulation (EU) No. 168/2013 of the European Parliament and Council of 15 January 2013 on the approval and market surveillance of two- or three-wheel vehicles and quadricycles, as amended.

'Category M1 vehicle' means a motor vehicle used for the carriage of persons and which may carry no more than eight passengers in addition to the driver;

'Category N1 vehicle' means a motor vehicle used for the carriage of goods and having a maximum mass not exceeding 3.5 tonnes;

'purchaser' means a person residing in Malta, Local Council, voluntary organisation, or undertaking established in Malta buying the vehicle from another country or from the local agent or dealer, having that vehicle registered in his name and being the applicant for the grant under this scheme;

**2. Area of applicability**

2.1 The scheme for a financial grant for the purchase of new Category L Petrol Motorcycles as defined above, applies to any person residing in Malta, Local Council, voluntary organisation, or undertaking established in Malta.

2.2 The scheme allows a mix and match of purchase of new Category L Petrol Motorcycles, and replacement of old vehicles.

2.3 The total grant amount issued to applicants for any of these grants shall not exceed the purchase price of the new Category L Petrol Motorcycle.

**2.4 Għotja għax-Xiri ta' Muturi ġodda tal-Kategorija L li jaħdmu bil-Petrol.**

2.4.1. L-ammonti tal-għotja applikabbli f'dawn il-każijiet għandhom ivarjaw skont il-kategorija tal-vettura li tkun qed tiġi rreġistrata, kif muri fit-Tabella 1 tal-Anness.

**2.4.2 Applikazzjoni għal għotja minn persuni residenti f'Malta, Kunsilli Lokali u organizzazzjonijiet volontarji li ma jwettqux attività ekonomika fis-sens tal-Artikolu 107 TFUE**

a) Applikanti li huma persuni residenti f'Malta huma intitolati li jirċievu massimu ta' għotja waħda (1) taħt din l-iskema.

b) Applikanti li huma Kunsilli Lokali jew organizzazzjonijiet volontarji li ma jwettqux attività ekonomika fis-sens tal-Artikolu 107 TFUE huma intitolati li jirċievu massimu ta' ħames (5) għotjiet taħt din l-iskema.

**2.4.3 Applikazzjoni għal għotja minn impriżi u organizzazzjonijiet volontarji li jwettqu attività ekonomika fis-sens tal-Artikolu 107 TFUE**

a) Applikanti li huma organizzazzjonijiet volontarji li jwettqu attività ekonomika fis-sens tal-Artikolu 107 TFUE huma intitolati li jirċievu massimu ta' għaxar (10) għotjiet taħt din l-iskema.

b) Applikanti li huma impriżi stabbiliti f'Malta huma intitolati li jirċievu massimu ta' għaxar (10) għotjiet taħt din l-iskema.

c) Ir-regoli dwar l-għajnuna mill-Istat għandhom japplikaw għall-għotjiet maħruġa taħt din it-taqsima. Dettalji dwar Ir-regoli dwar l-għajnuna mill-Istat applikabbli huma spjegati fit-taqsima 2.6 ta' dan id-dokument.

**2.5 Skema tal-Iskrappjar**

a) Fil-każ ta' applikazzjoni għall-għotja li tinvolvi t-tneħħija mir-reġistrazzjoni ta' vettura eżistenti, l-applikant għandu jneħħi mir-reġistrazzjoni vettura tal-kategorija L jew M1 jew N1 li għandha mill-inqas 10 snin mis-sena tal-manifattura u li tkun irreġistrata fuq isem l-applikant fil-jum tat-tneħħija mir-reġistrazzjoni tagħha.

b) L-ammonti tal-għotja applikabbli f'dan il-każ għandhom ivarjaw skont il-kategorija tal-vettura li tkun qed titneħħa mir-reġistrazzjoni, kif indikat fit-Tabella 2 tal-Anness.

c) Għotjiet għall-iskrappjar maħruġa taħt din it-taqsima lil impriżi stabbiliti f'Malta jew organizzazzjonijiet volontarji li jwettqu attività ekonomika fis-sens tal-Artikolu 107 TFUE huma soġġetti għal regoli dwar l-għajnuna mill-Istat skont

**2.4 Grant for the Purchase of New Category L Petrol Motorcycles.**

2.4.1. The grant amounts applicable in these cases shall vary depending on the category of vehicle being registered, as shown in Table 1 of the Annex.

**2.4.2. Grant application by persons residing in Malta, Local Councils and voluntary organisations that do not carry out an economic activity within the meaning of Article 107 TFEU**

a) Applicants who are persons residing in Malta are entitled to receive a maximum of one (1) grant under this scheme.

b) Applicants who are Local Councils or voluntary organisations that do not carry out economic activity within the meaning of Article 107 TFEU are entitled to receive a maximum of five (5) grants under this scheme.

**2.4.3 Grant application by undertakings and voluntary organisations that carry out an economic activity within the meaning of Article 107 TFEU**

a) Applicants who are voluntary organisations that carry out an economic activity are entitled to receive a maximum of ten (10) grants under this scheme.

b) Applicants who are undertakings established in Malta are entitled to receive a maximum of ten (10) grants under this scheme.

c) State aid rules shall apply for grants issued under this section. Details regarding the applicable State aid rules are explained in section 2.6 of this document.

**2.5 Scrappage Scheme**

a) In the case of a grant application involving the deregistration of an existing vehicle, the applicant shall deregister a category L or M1 or N1 vehicle which is at least 10 years old from year of manufacture and which is registered on the applicant's name on the day of its deregistration.

b) The grant amounts applicable in this case shall vary depending on the category of vehicle being deregistered, as indicated in Table 2 of the Annex.

c) Scrappage grants issued under this section to undertakings established in Malta or voluntary organisations that carry out an economic activity within the meaning of Article 107 TFEU are subject to state aid rules under the

ir-Regolament de minimis, kif spjegat fit-taqsima 2.6 ta' dan id-dokument.

**2.6 Regoli dwar l-għajnuna mill-Istat**

Fil-każ ta' applikazzjonijiet għal għotjiet għax-xiri ta' muturi ġodda tal-kategorija L li jaħdmu bil-petrol minn impriżi u organizzazzjonijiet volontarji li jwettqu attività ekonomika fis-sens tal-Artikolu 107 TFUE u applikazzjonijiet għal għotjiet għall-iskrappjar minn impriżi jew organizzazzjonijiet volontarji li jwettqu attività ekonomika fis-sens tal-Artikolu 107 TFUE, l-assistenza se tingħata f'konformità ma' wieħed mir-Regolamenti de minimis li ġejjin.

a) Għall-applikanti li huma attivi fil-produzzjoni primarja ta' prodotti agrikoli: Ir-Regolament tal-Kummissjoni (UE) Nru 1408/2013 tat-18 ta' Diċembru 2013 dwar l-applikazzjoni tal-Artikoli 107 u 108 tat-Trattat dwar il-Funzjonament tal-Unjoni Ewropea għal għajnuna de minimis fis-settur agrikolu (ĠU L 352/9, 24.12.2013), kif emendat bir-Regolament tal-Kummissjoni (UE) 2019/316 tal-21 ta' Frar 2019 li jemenda r-Regolament (UE) Nru 1408/2013 dwar l-applikazzjoni tal-Artikoli 107 u 108 tat-Trattat dwar il-Funzjonament tal-Unjoni Ewropea għall-għajnuna de minimis fis-settur agrikolu (ĠU 51 I/1, 22.2.2019);

b) Għall-applikanti li huma attivi fis-settur tas-sajd jew tal-akkwakultura: Ir-Regolament tal-Kummissjoni (UE) Nru 717/2014 tas-27 ta' Ġunju 2014 dwar l-applikazzjoni tal-Artikoli 107 u 108 tat-Trattat dwar il-Funzjonament tal-Unjoni Ewropea għal għajnuna de minimis fis-settur tas-sajd u l-akkwakultura (ĠU L 190/45, 28.6.2014), kif emendat bir-Regolament tal-Kummissjoni (UE) 2020/2008 tat-8 ta' Diċembru 2020 li jemenda r-Regolamenti (UE) Nru 702/2014, (UE) Nru 717/2014 u (UE) Nru 1388/2014, fir-rigward tal-perjodu ta' applikazzjoni tagħhom u aġġustamenti rilevanti oħra (ĠU L 414/15, 9.12.2020);

c) Għall-applikanti li huma attivi fis-setturi l-oħra kollha: Regolament tal-Kummissjoni (UE) Nru 1407/2013 tat-18 ta' Diċembru 2013 dwar l-applikazzjoni tal-Artikoli 107 u 108 tat-Trattat dwar il-Funzjonament tal-Unjoni Ewropea għal għajnuna de minimis (ĠU L 352/1, 24.12.2013), kif emendat bir-Regolament tal-Kummissjoni (UE) 2020/972 tat-2 ta' Lulju 2020, li jemenda r-Regolament (UE) Nru 1407/2013 fir-rigward tal-estensjoni tiegħu u li jemenda r-Regolament (UE) Nru 651/2014 fir-rigward tal-estensjoni tiegħu u l-aġġustamenti rilevanti (ĠU L 215/3, 7.7.2020).

Fil-każ ta' applikazzjoni minn impriża jew organizzazzjoni volontarja li twettaq attività ekonomika fis-sens tal-Artikolu 107 TFUE, il-ħlas għandu jsir biss jekk l-applikant ma jkunx laħaq il-limitu massimu stabbilit fir-Regolament de minimis applikabbli deskritt fil-qosor hawn fuq, skont is-settur li fih ikun attiv l-applikant. L-ammont totali ta' għajnuna de

*de minimis* Regulation, as explained in section 2.6 of this document.

**2.6 State aid rules**

In the case of grant applications for the purchase of new category L Petrol Motorcycles by undertakings and voluntary organisations that carry out an economic activity within the meaning of Article 107 TFEU and scrappage grants applications by undertakings or voluntary organisations that carry out an economic activity within the meaning of Article 107 TFEU, assistance will be provided in line with one of the following de minimis Regulations:

a) For applicants that are active in the primary production of agricultural products: Commission Regulation (EU) No. 1408/2013 of 18 December 2013 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to de minimis aid in the agriculture sector (OJ L 352/9, 24.12.2013), as amended by Commission Regulation (EU) 2019/316 of 21 February 2019 amending Regulation (EU) No 1408/2013 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to de minimis aid in the agriculture sector (OJ 51 I/1, 22.2.2019);.

b) For applicants that are active in the fisheries or aquaculture sector: Commission Regulation (EU) No. 717/2014 of 27 June 2014 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to de minimis aid in the fisheries and aquaculture sector (OJ L 190/45, 28.6.2014), as amended by Commission Regulation (EU) 2020/2008 of 8 December 2020 amending Regulations (EU) No 702/2014, (EU) No 717/2014 and (EU) No 1388/2014, as regards their period of application and other relevant adjustments (OJ L 414/15, 9.12.2020);

c) For applicants that are active in all other sectors: Commission Regulation (EU) No. 1407/2013 of 18 December 2013 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to de minimis aid (OJ L 352/1, 24.12.2013), as amended by Commission Regulation (EU) 2020/972 of 2 July 2020, amending Regulation (EU) No 1407/2013 as regards it prolongation and amending Regulation (EU) No 651/2014 as regards its prolongation and relevant adjustments (OJ L 215/3, 7.7.2020).

In the case of an application by an undertaking or a voluntary organisations that carries out an economic activity within the meaning if Article 107 TFEU, payment shall only be affected if the applicant would not have reached the maximum threshold established in the applicable *de minimis* Regulation outlined above, depending on the sector

minimis mogħtija lil impriża waħda m'għandux jaqbeż il-limiti stabbiliti fir-Regolamenti de minimis rispettivi kif ġej:

a) Għal impriżi attivi fil-produzzjoni primarja ta' prodotti agrikoli, l-ammont totali ta' għajnuna de minimis mogħtija lil impriża waħda m'għandux jaqbeż l-€20,000 fuq kwalunkwe perjodu ta' tliet snin fiskali;

b )Għal impriżi jew organizzazzjonijiet volontarji attivi fis-settur tas-sajd u l-akkwakultura, l-ammont totali ta' għajnuna de minimis mogħtija lil impriża waħda m'għandux jaqbeż it-€30,000 fuq kwalunkwe perjodu ta' tliet snin fiskali;

c) Għall-impriżi l-oħra kollha, l-ammont totali ta' għajnuna de minimis m'għandux jaqbeż il-€200,000 għal kull impriża waħda (jew il-€100,000 fil-każ ta' impriżi waħedhom li jwettqu trasport tal-merkanzija bit-triq b'kiri jew b'kumpens) fuq kwalunkwe perjodu ta' tliet snin fiskali.

Dan il-limitu massimu jkun jinkludi l-għajnuna kollha mill-Istat mogħtija taħt din l-iskema ta' għajnuna u kwalunkwe miżura oħra ta' għajnuna mill-Istat mogħtija taħt ir-Regolament de minimis inkluż dik li tirċievi minn kwalunkwe entità għajr Transport Malta fuq perjodu ta' tliet snin fiskali. Kwalunkwe għajnuna de minimis riċevuta li taqbeż il-limitu applikabbli stabbilit se jkollha tiġi rkuprata, bl-imgħax, mill-impriża li tirċievi l-għajnuna.

L-applikanti kollha li huma impriża jew organizzazzjonijiet volontarji li jwettqu attività ekonomika fis-sens tal-Artikolu 107 TFUE għandhom jimlew u jissottomettu, flimkien mal-formola tal-applikazzjoni, formola ta' dikjarazzjoni de minimis iffirmata li tindika kwalunkwe għajnuna de minimis riċevuta matul sena fiskali kurrenti u s-sentejn fiskali preċedenti.

**3. Mod ta' applikazzjoni, u dokumenti ta' sostenn**

3.1 Applikazzjoni għal għotja taħt din l-iskema għandha ssir jew mill-aġent/negozjant/fornitur jew mix-xerrej, billi tiġi sottomessa l-formola ta' applikazzjoni VEH 70 flimkien ma' kull informazzjoni, dettalji u dokumenti meħtieġa hemmhekk. Ix-xerrej tal-vettura għandu jitqies bħala l-applikant aħħari f'termini ta' din l-iskema.

3.2 L-applikazzjonijiet għandhom ikunu akkumpanjati mid-dokumenti li ġejjin:

a) Fil-każ ta' applikazzjoni għall-iskema ta' skrappjar, ċertifikat ta' qerda maħruġ minn faċilità ta' trattament awtorizzata li jiċċertifika li l-vettura li tkun qed titneħħa mir-reġistrazzjoni ġiet meqruda fil-faċilità ta' trattament awtorizzata;

in which the applicant is active. The total amount of de minimis aid granted to a single undertaking shall not exceed the thresholds established in the respective *de minimis* Regulations as follows:

a) For undertakings active in the primary production of agricultural products, the total amount of *de minimis* aid granted to a single undertaking shall not exceed €20,000 over any period of three fiscal years;

b) For undertakings/voluntary active in the fishery and aquaculture sector, the total amount of *de minimis* aid granted to a single undertaking shall not exceed €30,000 over any period of three fiscal years;

c) For all other undertakings, the total amount of *de minimis* aid shall not exceed €200,000 per single undertaking (or €100,000 in the case of single undertakings performing road freight transport for hire or reward) over any period of three fiscal years.

This maximum threshold would include all State aid granted under this aid scheme and any other State aid measure granted under the *de minimis* Regulation including that received from any entity other than Transport Malta over a period of three fiscal years. Any *de minimis* aid received in excess of the established applicable threshold will have to be recovered, with interest, from the undertaking receiving the aid.

All applicants which are an undertaking or a voluntary organisation that carries out an economic activity within the meaning if Article 107 TFEU are to fill in and submit, together with the application form, a signed *de minimis* declaration form indicating any *de minimis* aid received during the current fiscal year and the previous two fiscal years.

**3. Manner of application, and supporting documents**

3.1 An application for a grant under this scheme shall be made either by the agent/dealer/supplier or by the purchaser, by submitting application form VEH 70 along with any information, details and documents required therein. The purchaser of the vehicle shall be considered as the ultimate applicant in terms of this scheme.

3.2 Applications shall be accompanied by the following documents:

a) In the case of an application for the scrappage scheme, a destruction certificate issued by an approved destruction facility certifying that the vehicle which is being scrapped has been destructed in the approved destruction facility;

b) Fil-każ ta' impriża stabbilita f'Malta, ċertifikat ta' reġistrazzjoni, jew ċertifikat tal-VAT;

c) Fil-każ ta' organizzazzjoni volontarja, ċertifikat ta' reġistrazzjoni maħruġ mill-Kunsill Malti għas-Servizz Volontarju.

d) Fil-każ ta' applikazzjoni fl-ambitu tar-regoli dwar l-għajnuna spjegati fit-taqsima 2, id-Dikjarazzjoni de minimis VEH071.

3.3 L-applikazzjonijiet taħt din l-iskema, flimkien mad-dokumenti rilevanti kollha, għandhom jiġu sottomessi mill-applikant matul il-jiem tax-xogħol bejn is-07:30 ta' filgħodu u s-13:00 ta' waranofsinhar jew mibgħuta bil-posta lid-Dipartiment dwar il-Liċenzjar ta' Sewwieqa u Vetturi ta' lil Transport Malta's Driver and Vehicle Licensing Unit (DVLU) fuq:

a) Livell 1, A3 Towers, Triq l-Arkata, Raħal Ġdid PLA1212;

b) Ċentru tat-Trasport ta' Malta, Triq il-Pantar, Ħal Lija LJA2021; Jew

c) Transport Malta, Pjazza San Franġisk, ir-Rabat, Għawdex.

3.4 Negozjant liċenzjat jew aġent tal-karozzi li jixtri xi waħda minn dawn il-vetturi għal skopijiet ta' showroom u bejgħ jista' japplika għall-għotja iżda meta jerġa' jbigħ dik il-vettura, ix-xerrej ma jkunx eliġibbli għal kwalunkwe għotja, inkluża l-għotja użata.

**4. Eliġibilità**

4.1 Biex ikun eliġibbli, applikant għandu jikkonforma mat-Taqsima 2.

4.2 Biex jikkwalifika għall-għotjiet, il-Mutur tal-Kategorija L li jaħdem bil-Petrol li jkun qed jiġi rreġistrat għandu:

a) ikun ġdid;

b) ma jkunx ġie irreġistrat f'Malta qabel l-1 ta' Jannar 2022;

c) ikun liċenzjat għal użu privat jew użat b'rabta mal-forniment ta' servizzi volontarji jew l-attività ta' negozju.

4.3 Biex tikkwalifika għall-iskema tal-iskrappjar, il-vettura bil-mutur li trid tiġi mneħħija mir-reġistrazzjoni għandha:

b) In the case of an undertaking established in Malta, a registration certificate, or a VAT certificate;

c) In the case of a voluntary organisation, a registration certificate issued by the Malta Council for Voluntary Service.

d) In the case of an application within the scope of the State Aid rules explained in section 2, the *de minimis* Declaration VEH071.

3.3 Applications under this scheme, together with all the relevant documents, shall be submitted by the applicant during working days between 07:30 and 13:00 or mailed to Transport Malta's Driver and Vehicle Licensing Unit (DVLU) at:

a) Level 1, A3 Towers, Arcade Street, Paola PLA1212;

b) Malta Transport Centre, Pantar Road, Ħal Lija LJA2021; or

c) Transport Malta, St. Francis Square, Victoria, Gozo.

3.4 A licensed dealer or car agent purchasing any of these vehicles for showroom and sales purposes may apply for the grant but on re-selling such vehicle, the buyer will not be eligible for any grants, including the used grant.

**4. Eligibility**

4.1 To be eligible, an applicant shall conform with Section 2.

4.2 To qualify for the grants, the Category L Petrol Motorcycle being registered shall:

a) be new;

b) not have been registered in Malta before the 1st of January 2022;

c) be licensed for private use or used in connection with the provision of voluntary services or the activity of a business.

4.3 To qualify for the scrappage scheme, the motor vehicle to be de-registered shall:

a) Ikollha mill-inqas għaxar (10) snin fid-data tal-applikazzjoni, l-età tal-vettura tiġi ddeterminata bħala s-sena kalendarja fid-data tal-applikazzjoni nieqes is-sena tal-manifattura kif iċċertifikat fuq iċ-ċertifikat tar-reġistrazzjoni tal-vettura

b) tkun irreġistrata u ggaraxxjata jew illiċenzjata ma' Transport Malta f'isem l-applikant fid-data tal-applikazzjoni, kif muri fuq iċ-ċertifikat ta' reġistrazzjoni tal-vettura jew kif ikkonfermat minn Transport Malta;

c) ladarba titneħħa mir-reġistrazzjoni, tiġi meqruda skont id-dispożizzjonijiet tat-Taqsima VIII tar-Regolamenti dwar ir-Reġistrazzjoni u l-Liċenzjar ta' Vetturi bil-Mutur (LS368.02). Għandu jiġi pprovdut ċertifikat ta' qerda;

d) Vetturi mneħħija mir-reġistrazzjoni li jkunu bbenefikaw mid-dispożizzjonijiet ta' S.L.65.24 ma jkunux eliġibbli għal din l-iskema ta' skrappjar.

**5. Ħlas ta' Għotja**

5.1 Fejn applikant jikkwalifika għall-għotja, l-għotja għandha titħallas direttament lill-applikant.

5.2 L-għotja mogħtija lix-xerrej ma għandhiex tkun stmata bħala dħul għall-finijiet tat-taxxa fuq id-dħul.

5.3 Vettura hija eliġibbli għal għotja waħda biss, u jekk is-sid oriġinali (il-benefiċjarju) ibigħ il-vettura fis-suq tal-vetturi użati wara li jgħaddi l-perjodu msemmi fit-Taqsima 7, is-sid il-ġdid tal-istess vettura ma jkunx intitolat li japplika għal xi għotja relatata ma' dik il-vettura, fil-każ li dik l-għotja tkun għadha disponibbli.

**6. Validità tal-applikazzjoni**

6.1 Applikazzjoni m'għandhiex titqies li ġiet sottomessa mill-applikant sakemm ma tkunx mimlija b'mod sħiħ u tkun akkumpanjata mid-dokumenti rilevanti kollha. Jekk l-applikazzjoni ma timtelax b'mod korrett u d-dokumenti rilevanti mhumiex inklużi, it-talba għall-għotja m'għandhiex tiġi pproċessata sakemm ma tingħatax l-informazzjoni nieqsa. Transport Malta għandha tikteb lill-applikant, u tavżah bl-informazzjoni meħtieġa.

6.2 Vetturi reġistrati fl-1 ta' Jannar 2022 jew wara huma eliġibbli għal din l-għotja u s-sidien rispettivi għandhom japplikaw bil-formola ta' applikazzjoni l-ġdida mnedija għal din l-iskema. L-applikazzjonijiet preċedenti kollha fil-format l-antik ma jiġux aċċettati għal din l-għotja.

**7. Rifużjoni tal-għotja**

Kull mutur ġdid tal-Kategorija L li jaħdem bil-petrol mixtri mill-applikant taħt din l-għotja għandu jibqa' rreġistrat

a) be at least ten (10) years old on the date of application, the age of the vehicle being determined as the calendar year on the date of application less the year of manufacture as certified on the vehicle's registration certificate

b) be registered and garaged or licensed with Transport Malta in the name of the applicant on the date of application, as shown on the vehicle's registration certificate or as confirmed by Transport Malta;

c) once de-registered, be destroyed in accordance with the provisions of Part VIII of the Registration and Licensing of Motor Vehicles Regulations (SL368.02). Destruction certificate shall be provided;

d) Deregistered vehicles which had benefitted from the provisions of S.L.65.24 shall not be eligible for this scrappage scheme.

**5. Payment of Grant**

5.1 Where an applicant qualifies for a grant, such grant shall be paid directly to that applicant.

5.2 The grant given to the purchaser shall not be assessed as income for income tax purposes.

5.3 A vehicle is only eligible for one grant, and if the original owner (the beneficiary) sells the vehicle on the used market after the period referred to in Section 7 elapses, the new owner of the same vehicle will not be entitled to apply for any grant related to that vehicle, in the case such a grant would still be available.

**6. Validity of application**

6.1 An application shall not be deemed to have been submitted by the applicant unless it is completed in full and is accompanied by all the relevant documents. If the application is not completed correctly and the relevant documents are not included, the claim for the grant shall not be processed unless the missing information is provided. Transport Malta shall write to the applicant, advising him of the information required.

6.2 Vehicles registered on or after the 1st of January 2022 are eligible for this grant and must apply with the new application form launched with this scheme. All previous applications in the old format will not be accepted for this grant.

**7. Refunding of grant**

7.1 Any new Category L Petrol Motorcycle purchased by the applicant under this grant shall remain registered in

f'isem l-applikant għal perjodu ta' mill-inqas sitta u tletin (36) xahar mid-data tal-ewwel reġistrazzjoni. Jekk is-sid irreġistrat ta' mutur ġdid tal-Kategorija L li jaħdem bil-Petrol li fuqu tkun inħarġet għotja taħt din l-iskema jittrasferixxi l-imsemmija vettura lil parti terza għal kwalunkwe raġuni, minbarra transferiment causa mortis lil werriet, allura dik il-persuna għandha tirrifondi l-għotja riċevuta minn Transport Malta. F'każijiet bħal dawn, jiġifieri, meta l-vettura terġa' tinbiegħ u l-għotja titħallas lura mis-sid oriġinali, ix-xerrej il-ġdid jista' japplika għall-iskema ta' għotja relatata max-xiri ta' muturi ġodda tal-Kategorija L li jaħdmu bil-petrol, jekk tali skema tkun disponibbli f'dak iż-żmien. F'każijiet ta' kumpanija skwalifikata fl-istess grupp ta' kumpaniji, dak it-trasferiment tal-vettura jkun permess mingħajr il-ħtieġa li tingħata lura l-għotja.

**8. Tul tal-iskema**

8.1 Din l-iskema għandha tibqa' fis-seħħ sal-31 ta' Diċembru 2022 jew sakemm ikun eżawrit il-baġit allokat, sakemm ma tiġix modifikata jew mitmuma minn qabel b'Avviż fil-Gazzetta tal-Gvern. Minkejja dan, il-Gvern jista' jtemm jew jestendi l-iskema fi kwalunkwe ħin billi jagħti avviż minn qabel.

8.2 L-iskema tista' tiġġedded kif jidhirlu li jkun meħtieġ mill-Ministru għat-Trasport, Infrastruttura u Proġetti Kapitali permezz ta' Avviż fil-Gazzetta tal-Gvern.

**9. Emendi għall-iskema**

9.1 Il-Ministru responsabbli għat-Trasport, Infrastruttura u Proġetti Kapitali għandu jkollu d-dritt li jagħmel xi emendi għal din l-iskema permezz ta' Avviż fil-Gazzetta tal-Gvern.

**10. Talbiet b'qerq**

10.1 Fejn tinqala' talba frawdolenti, il-Ministru għat-Trasport, Infrastruttura u Proġetti Kapitali għandu jirrapporta l-kwistjoni lill-Pulizija biex jinbdew proċeduri kriminali. F'każ ta' ħlas ħażin ta' talba, l-istess Ministru jirriżerva d-dritt li jirkupra fondi mħallsa bi żball. Dan japplika wkoll għal impriżi u organizzazzjonijiet volontarji li jwettqu attività ekonomika, speċjalment fir-rigward tad-dikjarazzjonijiet tal-Għajnuna mill-Istat. L-applikanti għandhom jiżguraw li l-informazzjoni pprovduta hija korretta.

***Anness: Ammonti ta' għotja applikabbli għax-xiri ta' Muturi fil-kategorija L li jaħdmu bil-Petrol.***

Tabella 1: Ammonti ta' għotja li għandhom jitħallsu għal kull mutur tal-Kategorija L li jaħdem bil-petrol mixtri minn kwalunkwe applikant, soġġett għall-kriterji ta' eliġibbiltà stipulati f'dan id-dokument

the applicant's name for a period of at least thirty-six (36) months from the date of first registration. If the registered owner of a new Category L Petrol motorcycle on which a grant has been issued under this scheme transfers the said vehicle to a third party, for any reason other than a transfer causa mortis to an heir, then that person shall refund the grant received from Transport Malta. In such cases, that is, when the vehicle is re-sold and the grant is refunded back by the original owner, the new buyer may apply for the grant scheme related to the purchase of new Category L Petrol motorcycles, if such a scheme is available at that time. In cases of a company disqualified within the same group of companies, such a transfer of the vehicle will be permitted without the need to refund the grant.

**8. Duration of scheme**

8.1 This scheme shall remain into force until the 31st of December 2022 or until the allocated budgetis exhausted, unless modified or terminated beforehand by a Notice in the Government Gazette. Notwithstanding, Government may terminate or extend the scheme at any time by giving prior notice.

8.2 The scheme may be renewed as deemed necessary by the Minister for Transport, Infrastructure and Capital Projects by a Notice in the Government Gazette.

**9. Amendments to the scheme**

9.1 The Minister responsible for Transport, Infrastructure and Capital Projects shall have the right to make any amendments to this scheme by a Notice in the Government Gazette.

**10. Fraudulent claims**

10.1 Where a fraudulent claim arises, the Minister for Transport, Infrastructure and Capital Projects shall report the matter to the Police for criminal procedures to be instituted. In the event of an incorrect payment of a claim, the said Minister reserves the right to recover funds paid in error. This also applies to undertakings and voluntary organisations that carry our economic activity, especially with respect to State Aid regulations. Applicants are to make sure that the information provided is correct.

***Annex: Grant amounts applicable for the purchase of category L Petrol Motorcycles.***

Table 1: Grant amounts to be paid for each Category L Petrol motorcycle purchased by any applicant, subject to eligibility criteria stipulated in this document

| | Tip ta' vettura | Sottokategorija tal-Vettura | Ammont tal-għotja |
|---|---|---|---|
| **1** | Ċikli mħaddma; Mopeds b'żewġ roti; Mopeds bi tliet roti għat-trasport tal-passiġġieri jew għal skopijiet ta' utilità; Kwadriċikli ħfief jew kwadri-mobbli. | L1e-A<br>L1e-B<br>L2e<br>L6e | €1,000 |
| **2** | Mutur ta' prestazzjoni baxxa; Mutur b'żewġ roti ta' prestazzjoni baxxa b' side-car. Triċiklu mħaddem b'qawwa li ma taqbiżx il-15kW. | L3e-A1<br>L4e-A1<br>L5e | |
| **3** | Mutur ta' prestazzjoni medja; Mutur b'żewġ roti ta' prestazzjoni medja b'side-car. | L3e-A2<br>L4e-A2 | €750 |

| | Type of vehicle | Vehicle Sub-Category | Grant amount |
|---|---|---|---|
| **1** | Powered cycles; Two-wheel mopeds; Three-wheel mopeds for passenger transport or for utility purposes; Light quadricycles or quadri-mobiles. | L1e-A<br>L1e-B<br>L2e<br>L6e | €1,000 |
| **2** | Low performance motorcycle; Low-performance two-wheel motorcycle with side-car. Powered Tricycle with power not exceeding 15kW. | L3e-A1<br>L4e-A1<br>L5e | |
| **3** | Medium performance motorcycle; Medium-performance two-wheel motorcycle with side-car. | L3e-A2<br>L4e-A2 | €750 |

**NOTA**: Ir-Regolamenti de minimis u l-limiti rispettivi għandhom japplikaw meta jinħarġu għotjiet lil **impriżi stabbiliti f'Malta** jew **organizzazzjonijiet volontarji li jwettqu xi attività ekonomika fis-sens tal-Artikolu 107 TFUE.**

**NOTE**: The *de minimis* Regulations and the respective thresholds shall apply when grants are issued to **undertakings established in Malta** or **voluntary organisations which carry out any economic activity within the meaning of Article 107 TFEU**.

Tabella 2: Ammonti tal-għotja għal ħlas meta vettura tiġi skrappjata flimkien ma' kwalunkwe għotja oħra għax-xiri ta' mutur ġdid tal-Kategorija L li jaħdem bil-petrol.

| | Kategorija ta' Vettura Skrappjata | Ammont al-Għotja |
|---|---|---|
| **1** | L (Muturi) | €500 |
| **2** | M1 (Karozza) jew N1 (Vann) | €1,000 |

Table 2: Grant amounts to be paid when a vehicle in scrapped in conjunction with any other grant for the purchase of a new Category L Petrol motorcycle.

| | Category of Scrapped Vehicle | Grant Amount |
|---|---|---|
| 1 | L (Motorcycles) | €500 |
| 2 | M1 (Car) or N1 (Van) | €1,000 |

**NOTA**: Ir-regoli de minimis u l-limiti rispettivi tagħhom japplikaw meta jinħarġu għotjiet għall-iskrappjar lil **impriżi stabbiliti f'Malta** jew **organizzazzjonijiet volontarji**

**NOTE**: The *de minimis* Regulations and the respective thresholds shall apply when scrappage grants are issued to **undertakings established in Malta** or **voluntary**

**li jwettqu kwalunkwe attività ekonomika fis-sens tal-Artikolu 107 TFUE**.

Il-5 ta' Lulju, 2022

**Nru. 803**

**MINISTERU GĦAT-TRASPORT, INFRASTRUTTURA U PROĠETTI KAPITALI**

**Għotja mill-Gvern li tinkludi Skema tal-Iskrappjar fuq Xiri ta' Vetturi li jagħmlu Inqas Ħsara lill-Ambjent**

IL-MINISTERU għat-Trasport, l-Infrastruttura u Proġetti Kapitali, flimkien mal-Awtorità għat-Trasport f'Malta, se jniedi skema oħra ta' għotja ta' flus biex jinċentiva x-xiri ta' vetturi ġodda M1 li jagħmlu inqas ħsara lill-ambjent u fl-istess waqt jitnaqqsu l-vetturi qodma mit-triq.

Soġġetta għal diversi kundizzjonijiet, l-għotja tammonta sa massimu ta' €1,500 li tingħata meta tinxtara vettura ġdida fil-kategorija M1 u għotja ta' €2,000 meta tinxtara vettura ġdida ibrida fil-kategorija M1, filwaqt li titħassar ir-reġistrazzjoni ta' vettura qadima fil-kategorija M1 jew N1.

L-iskema tidħol fis-seħħ fl-1 ta' Jannar, 2022 fuq bażi tal-ewwel jinqeda l-ewwel.

**L-ISKEMA**

**1. Interpretazzjoni**

Għall-finijiet ta' din l-iskema, sakemm ir-rabta tal-kliem ma tkunx teħtieġ xort'oħra:

'applikant' tfisser il-persuna jew NGO rreġistrata li tkun qiegħda tapplika għall-għotja taħt din l-iskema u li, filwaqt li tkun persuna li hi residenti Malta jew NGO mwaqqfa f'Malta, tkun ix-xerrej ta' vettura ġdida M1 kif imfissra hawn taħt;

'applikazzjoni' tfisser l-applikazzjoni li ssir għal għotja taħt din l-iskema;

'l-Awtorità' tfisser l-Awtorità għat-Trasport f'Malta stabbilita taħt id-dispożizzjonijiet tal-Att dwar l-Awtorità għat-Trasport f'Malta (KAP. 499);

'ċertifikat ta' konformità' tfisser id-dokument stabbilit fl-Anness IX tad-Direttiva 2007/46/KE, maħruġ mill-manifattur u li jiċċertifika li vettura li tappartjeni għas-serje tat-tip approvat skont dik id-Direttiva tikkonforma mal-atti regolatorji kollha fil-mument tal-produzzjoni tagħha;

**organisations which carry out any economic activity within the meaning of Article 107 TFEU**.

5th July, 2022

**No. 803**

**MINISTRY FOR TRANSPORT, INFRASTRUCTURE AND CAPITAL PROJECTS**

**Government Grant including Scrappage Scheme on the Purchase of Environment-friendly Vehicles**

THE Ministry for Transport, Infrastructure and Capital Projects in conjunction with the Authority for Transport in Malta, will be launching a grant scheme to incentivise the purchase of new M1 motor vehicles whilst at the same time reducing the number of old motor vehicles from the road.

Subject to various conditions, the amount of the grant shall be up to a maximum of €1,500, which shall be given upon the purchase of a new Category M1 motor vehicle and a grant of €2,000 upon registering a new hybrid Category M1 vehicle whilst at the same time de-registering a vehicle in Category M1 or N1.

The scheme commences on the 1st of January, 2022, on a first come first serve basis.

**THE SCHEME**

**1. Interpretation**

For the purpose of the scheme, unless the context otherwise requires:

'applicant' means the person or registered NGO applying for the grant under this scheme and who, apart from being a person residing in Malta or an NGO established in Malta, is the purchaser of a new M1 vehicle as defined hereunder;

'application' means the application made for a grant under this scheme;

'Authority' means the Authority for Transport in Malta set up under the provisions of the Authority for Transport in Malta Act (CAP. 499);

'certificate of conformity' means the document set out in Annex IX of Directive 2007/46/EC, issued by the manufacturer and certifying that a vehicle belonging to the series of the type approved in accordance with that Directive complied with all regulatory acts at the time of its production;

'ċertifikat tar-reġistrazzjoni tal-vettura' tfisser iċ-ċertifikat ta' reġistrazzjoni ta' vettura maħruġ mill-Awtorità li jiċċertifika li l-vettura bil-mutur hija reġistrata;

'emissjonijiet ta' $CO_2$' tfisser il-livell ta' emissjonijiet ta' dijossidu tal-karbonju għal vettura mkejjel skont id-Direttiva 80/1268/KEE kif emendata u li jkun jinsab fiċ-ċertifikat tal-KE ta' approvazzjoni tat-tip jew fiċ-ċertifikat ta' konformità tal-KE rilevanti, u fejn il-vettura ma' tkunx tat-tip approvat, għal dik il-vettura partikolari l-livelli ta' emissjonijiet li jkunu jidhru f'dokument li jkun aċċettabbli għall-Awtorità;

'faċilità ta' trattament awtorizzata' għandha l-istess tifsira mogħtija lilha fir-Regolamenti dwar ir-Reġistrazzjoni u l-Liċenzjar ta' Vetturi bil-Mutur (LS 368.02);

'għotja' tfisser l-għotja li qiegħda tingħata taħt din l-iskema lix-xerrej ta' vettura li tkun tissodisfa r-rekwiżiti tal-paragrafu 4(ii);

'impriża waħda' tinkludi, għall-finijiet ta' din l-iskema, l-intrapriżi kollha li jkollhom bejniethom mill-inqas waħda (1) mir-relazzjonijiet li ġejjin:

a) intrapriża waħda li jkollha l-maġġoranza tad-drittijiet tal-vot tal-azzjonisti jew tal-membri f'intrapriża oħra;

b) intrapriża waħda li jkollha d-dritt taħtar jew tneħħi maġġoranza mill-membri tal-korp amministrattiv, tal-ġestjoni jew dak ta' sorveljanza ta' intrapriża oħra;

ċ) intrapriża waħda li jkollha d-dritt teżerċita influwenza dominanti fuq intrapriża oħra skont kuntratt ma' dik l-intrapriża jew skont dispożizzjoni tal-memorandum jew tal-artikoli ta' assoċjazzjoni tagħha;

d) intrapriża waħda, illi tkun azzjonista fi jew membru ta' intrapriża oħra, tikkontrolla waħedha, skont ftehim ma' azzjonisti oħra fi jew membri ta' dik l-intrapriża, maġġoranza tad-drittijiet tal-voti tal-azzjonisti jew tal-membri f'dik l-intrapriża.

L-intrapriżi li jkollhom waħda mir-relazzjonijiet imsemmijin fil-punti (a) sa (d) t'hawn fuq permezz ta' intrapriża waħda jew aktar, għandhom ukoll jitqiesu bħala impriża waħda.

'Malta' tfisser il-gżejjer Maltin;

'Ministru' tfisser il-Ministru responsabbli għat-Trasport, l-Infrastruttura u Proġetti Kapitali;

'New European Driving Cycle (NEDC)' tfisser ċiklu ta' sewqan iddisinjat, inter alia, biex jivvaluta l-livelli ta' emissjoni tal-magni tal-karozzi;

'vehicle registration certificate' means the vehicle registration certificate issued by the Authority providing proof of registration of the motor vehicle.

'CO2 emissions' means the level of carbon dioxide emissions for a vehicle measured in accordance with Directive 80/1268/EEC as amended and contained in the relevant EC type-approval certificate or certificate of conformity, and where the vehicle is not type-approved, for that particular vehicle the emissions level contained in a document acceptable to the Authority;

'authorised treatment facility' has the same meaning as assigned to it in the Registration and Licensing of Motor Vehicles Regulations (SL368.02);

'grant' means the grant being given under this scheme to the purchaser of a motor vehicle which satisfies the requirements of paragraph 4 (ii);

'Single Undertaking' includes, for the purposes of this scheme, all enterprises having at least one (1) of the following relationships with each other:

a) one enterprise has a majority of the shareholders' or members' voting rights in another enterprise;

b) one enterprise has the right to appoint or remove a majority of the members of the administrative, management or supervisory body of another enterprise;

c) one enterprise has the right to exercise a dominant influence over another enterprise pursuant to a contract entered into with that enterprise or to a provision in its memorandum or articles of association;

d) one enterprise, which is a shareholder in or member of another enterprise, controls alone, pursuant to an agreement with other shareholders in or members of that enterprise, a majority of shareholders' or members' voting rights in that enterprise.

Enterprises having any of the relationships referred to in points (a) to (d) above through one or more other enterprises shall also be considered to be a single undertaking.

'Malta' means the Maltese Islands;

'Minister' means the Minister responsible for Transport, Infrastructure and Capital Projects;

'New European Driving Cycle (NEDC)' means a driving cycle designed, inter alia, to assess the emission levels of car engines;

'NGO' tfisser organizzazzjoni mhux Governattiva;

'Organizzazzjoni mhux Governattiva' tfisser organizzazzjoni volontarja kif definita fl-Att dwar l-Organizzazzjonijiet Volontarji (KAP. 492);

'persuna' tfisser persuna fiżika;

'persuna residenti f'Malta' tfisser persuna fiżika li jkollha dokument ta' identifikazzjoni legalment validu maħruġ skont l-Att dwar il-Karta tal-Identità u Dokumenti oħra tal-Identità (KAP. 258) jew li jkollha permess ta' residenza jew ittra maħruġa mill-uffiċċju tal-espatrijazzjoni fil-Ministeru għall-Affarijiet Barranin;

'sid reġistrat' tfisser il-persuna li f'isimha vettura tkun ġiet irreġistrata mill-Awtorità;

'taxxa ta' reġistrazzjoni' tfisser it-taxxa ta' reġistrazzjoni mitluba u miġbura skont l-Att dwar ir-Reġistrazzjoni u l-Liċenzjar ta' Vetturi bil-Mutur (KAP. 368);

'tneħħija mir-reġistrazzjoni' tfisser, għall-fini ta' din l-iskema, it-tneħħija permanenti ta' vettura mir-reġistrazzjoni tagħha ma' Transport Malta u wara li jsir hekk, dik il-vettura ma tistax terġa' tiġi rreġistrata biex tintuża fuq it-triq f'Malta;

'l-Unjoni Ewropea' għandha l-istess tifsira mogħtija lilha fl-artikolu 2 tal-Att dwar l-Unjoni Ewropea (Kap. 460), u tinkludi n-Norveġja, l-Islanda u Liechtenstein;

'użu privat' tfisser kull użu li ma jkunx għal kiri jew kumpens jew għal akkwist finanzjarju;

'vettura bil-mutur ġdida' tfisser vettura M1 li qatt ma tkun ġiet reġistrata qabel f'ebda pajjiż;

'vettura ibrida' tfisser, għall-finijiet ta' din l-għotja, vettura ġdida bil-mutur li għandha mill-inqas żewġ konvertituri differenti ta' enerġija u żewġ sistemi differenti ta' ħażna ta' enerġija għall-għanijiet tal-propulsjoni tal-vettura, użata għall-ġarr ta' passiġġieri, li tista' ġġorr mhux aktar minn tmien passiġġieri minbarra x-xufier b'emissjonijiet bejn 40 u 65 g/km għaċ-ċiklu tat-test NEDC jew bejn 40 u 80g/km għaċ-ċiklu tat-test WLTP u li ma tkunx itwal minn 4460mm kif muri fiċ-ċertifikat ta' konformità, u li tinħarġilha liċenzja għal użu privat biss;

'vettura li tneħħiet mir-reġistrazzjoni' tfisser vettura bil-mutur li tneħħitilha r-reġistrazzjoni;

'vettura tal-Kategorija M1' tfisser vettura bil-mutur użata għall-ġarr ta' persuni u li tista' ġġorr mhux aktar minn tmien passiġġieri minbarra s-sewwieq;

'NGO' means a non-Governamental organisation;

'non-Governmental organisation 'means a vocational organisation as defied in the Voluntary Organisations Act (CAP. 492)

'person' means a natural person;

'person residing in Malta' means a natural person who either holds a legally valid identification document issued in terms of the Identity Card and other Identity Documents Act (CAP. 258) or who has a residence permit, or a letter issued from the expatriate office at the Ministry of Foreign Affairs;

'registered owner' means the person in whose name a motor vehicle is registered by the Authority;

'registration tax' means the registration tax charged and levied in terms of the Motor Vehicles Registration and Licensing Act (CAP. 368);

'de-registered' means, for the purpose of this scheme, the permanent removal of a motor vehicle from its registration with Transport Malta and thereafter, that motor vehicle shall never be registered again to be used on the road in Malta;

'European Union' has the same meaning as is assigned to it by article 2 of the European Union Act (Cap. 460), and includes Norway, Iceland, and Liechtenstein;

'private use' means any use other than for hire or reward or financial gain;

'new motor vehicle' means an M1 vehicle which has never been registered in any country;

'hybrid vehicle' means for the purpose of this scheme, a new motor vehicle having at least two different energy converters and two different energy storage systems for the purpose of vehicle propulsion, used for the carriage of persons and which may carry no more than eight passengers in addition to the driver with emission between 40 and 65g/km for the NEDC test cycle or between 40 and 80g/km for the WLTP test cycle and its length does not exceed 4460mm as certified on the certificate of conformity, and is licensed only for private use;

'de-registered vehicle' means a motor vehicle which has been de-registered;

'Category M1 vehicle' means a motor vehicle used for the carriage of persons and which may carry no more than eight passengers in addition to the driver;

'vettura tal-Kategorija N1' tfisser vettura bil-mutur użata għall-ġarr ta' merkanzija u li għandha massa massima li ma taqbiżx it-tliet tunnellati u nofs (3.5);

'xerrej' tfisser il-persuna jew NGO li tkun qiegħda tixtri vettura ġdida minn xi pajjiż ieħor jew mingħand l-aġent jew negozjant, li dik il-vettura tiġi rreġistrata f'isimha f'Malta u li tkun l-applikant għall-għotja taħt din l-iskema;

'Worldwide Harmonized Light Vehicle Test Procedure' (WLTP) tfisser standard armonizzat globali għall-kejl ta', inter alia, emissjonijiet ta' $CO_2$ f'karozzi tradizzjonali tal-passiġġieri u ibridi li ġie żviluppat mill-Kummissjoni Ekonomika għall-Ewropa tan-Nazzjonijiet Uniti biex tieħu post in-New European Driving Cycle (NEDC) bħala l-proċedura Ewropea ta' omologazzjoni tal-vettura.

**2. Għal min tapplika l-iskema**

2.1 L-iskema tapplika għal persuna residenti f'Malta jew NGO rreġistrata li:

(i) għandha vettura M1 jew N1 li għandha mill-anqas 10 snin mid-data tal-manifattura tagħha, sakemm vettura bħal dik:

(a) tkun ilha rreġistrata, iggaraxxjata jew kellha liċenzja maħruġa mill-Awtorità f'isem l-applikant matul is-sena 2021 jew 2022;

(b) tibqa' hekk irreġistrata jew iggaraxxjata jew bil-liċenzja sad-data tal-applikazzjoni għall-għotja, u

(c) tiġi mneħħija mir-reġistrazzjoni ġo faċilità ta' trattament awtorizzata.

2.2 Għotja ta':

(a) €900 jew l-ekwivalenti tal-ammont tat-taxxa tar-reġistrazzjoni mħallsa għal dik il-vettura partikolari, sa massimu ta' €1,500 tingħata lill-applikant li jirreġistra vettura ġdida tal-Kategorija M1 b'livelli ta' emissjonijiet ta' $CO_2$ NEDC sa 100g/km;

(b) €800 tingħata lill-applikant li jirreġistra vettura ġdida tal-kategorija M1 b'livelli ta' emissjonijiet ta' $CO_2$ NEDC bejn 101g/km u 130g/km;

c) €2,000 se jingħataw lill-applikant li jirreġistra vettura ibrida ġdida tal-Kategorija M1 b'emissjonijiet ta' $CO_2$ NEDC imnaqqsa bi 30% u bejn 40 u 65 g/km;

d) €800 jew l-ekwivalenti għall-ammont ta' taxxa ta' reġistrazzjoni mħallsa fuq dik il-vettura partikolari sa massimu ta' €1,500 se jingħataw lill-applikant li jirreġistra vettura ġdida tal-Kategorija M1 b'livelli ta' emissjoni ta' $CO_2$ WLTP sa 130g/km;

'Category N1 vehicle' means a motor vehicle used for the carriage of goods and having a maximum mass not exceeding three and a half (3.5) tonnes;

'purchaser' means the person or NGO buying the new vehicle from another country or from the local agent or dealer, having that vehicle registered in his name and being the applicant for the grant under this scheme;

'Worldwide Harmonized Light Vehicle Test Procedure (WLTP)' means a global, harmonized standard for the measurement of, inter alia, CO2 emissions in traditional passenger and hybrid cars which was developed by the United Nations Economic Commission for Europe to replace the New European Driving Cycle (NEDC) as the European vehicle homologation procedure.

**2. Area of applicability**

2.1 The scheme applies to a person residing in Malta or a registered NGO who:

(i) owns an M1 or N1 vehicle which is at least 10 years old from year of manufacture, provided that such vehicle:

(a) shall have been registered, garaged, or licensed with the Authority in the applicant's name during 2021 or 2022;

(b) shall continue to be so registered, garaged or licensed until the date of application for the grant, and

(c) is de-registered at an authorised treatment facility;

2.2. A grant of:

(a) €900 or the equivalent to the amount of registration tax paid on that particular vehicle up to a maximum of €1,500 will be given to an applicant registering a new Category M1 vehicle with NEDC CO2 emission levels up to 100g/km;

(b) €800 will be given to an applicant registering a new Category M1 vehicle with NEDC CO2 emission levels between 101 and 130g/km;

c) €2,000 will be given to an applicant registering a new category M1 hybrid vehicle with NEDC CO2 emissions deducted by 30% and between 40 and 65 g/km;

d) €800 or the equivalent to the amount of registration tax paid on that particular vehicle up to a maximum of €1,500 will be given to an applicant registering a new Category M1 vehicle with WLTP CO2 emission levels up to 130g/km;

e) Se jingħataw €800 lill-applikant li jirreġistra vettura ġdida tal-Kategorija M1 b'livelli ta' emissjoni ta' $CO_2$ WLTP bejn 131 u 170g/km;

f) Se jingħataw €2,000 lill-applikant li jirreġistra vettura ibrida ħafifa tal-kategorija M1 ġdida b'emissjonijiet ta' $CO_2$ WLTP imnaqqsa bi 30% u bejn 40 u 80g/km

Kull applikant eliġibbli jkun intitolat għal għotja waħda biss taħt din l-iskema.

L-ebda implikazzjoni ta' għajnuna mill-Istat mhi se tinħoloq fil-każ ta' persuni fiżiċi jew NGOs li ma jwettqux attività ekonomika fis-sens tal-Artikolu 107 TFUE. Min-naħa l-oħra, fil-każ ta' NGOs li jwettqu attività ekonomika fit-tifsira tal-Artikolu 107 TFUE, l-assistenza se tingħata f'konformità mar-Regolament tal-Kummissjoni (UE) Nru 1407/2013 tat-18 ta' Diċembru 2013 dwar l-applikazzjoni tal-Artikoli 107 u 108 tat-Trattat dwar il-Funzjonament tal-Unjoni Ewropea għall-għajnuna de minimis (ĠU L 352/1, 24.12.2013), kif emendat mir-Regolament tal-Kummissjoni (UE) 2020/972 tat-2 ta' Lulju 2020 li jemenda r-Regolament (UE) Nru 1407/2013 fir-rigward tal-estensjoni tiegħu u li jemenda r-Regolament (UE) Nru 651/2014 fir-rigward tal-estensjoni tiegħu u l-aġġustamenti rilevanti (ĠU L 215/3, 7.7.2020).

**3. Kif għandha ssir l-applikazzjoni u d-dokumenti li għandhom jiġu ppreżentati**

(i) Applikazzjoni għal għotja taħt din l-iskema għandha ssir mix-xerrej billi jissottometti l-formola tal-applikazzjoni VEH038 u għandu jkun fiha dak it-tagħrif, dettalji u dokumenti kollha kif meħtieġa fl-imsemmija formola u skont din l-iskema,

(ii) Mal-applikazzjoni għandu jiġi ppreżentat ċertifikat maħruġ mill-faċilità ta' trattament awtorizzata li jkun jiċċertifika li l-vettura tkun ġiet meqruda,

(iii) Applikazzjonijiet taħt din l-iskema, flimkien mad-dokumenti kollha relevanti, għandhom jiġu ppreżentati jew mibgħuta mill-applikant bejn is-07.30 ta' filgħodu u s-13.00 ta' wara nofsinhar fil-ġranet tax-xogħol fi:

a) Transport Malta, Driver and Vehicle Licensing Unit, A3 Towers, Triq l-Arkata, Raħal Ġdid PLA1212 jew

b) Malta Transport Centre, Driver and Vehicle Licensing Unit, Triq Pantar, Ħal Lija LJA2021; jew,

c) Transport Malta, Pjazza San Franġisk, Ir-Rabat, Għawdex.

**4. Eliġibbiltà**

(i) Biex ikun eliġibbli, applikant għandu jkun konformi mat-Taqsima 2.

e) €800 will be given to an applicant registering a new Category M1 vehicle with WLTP CO2 emission levels between 131 and 170g/km;

f) €2,000 will be given to an applicant registering a new category M1 hybrid vehicle with WLTP CO2 emissions deducted by 30% and between 40 and 80g/km

Every eligible applicant shall be entitled to only one grant under this scheme.

No State aid implications will arise in the case of natural persons or NGOs that do not carry out an economic activity within the meaning of Article 107 TFEU. On the other hand, in the case of NGOs that carry out an economic activity within the meaning of Article 107 TFEU, assistance will be provided in line with Commission Regulation (EU) No. 1407/2013 of 18 December 2013 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to de minimis aid (OJ L 352/1, 24.12.2013), as amended by Commission Regulation (EU) 2020/972 of 2 July 2020, amending Regulation (EU) No 1407/2013 as regards it prolongation and amending Regulation (EU) No 651/2014 as regards its prolongation and relevant adjustments (OJ L 215/3, 7.7.2020).

**3. Manner of application and supporting documents**

(i) An application for a grant under this scheme shall be made by the purchaser by submitting application form VEH038 and shall contain all the information, details and documents as required in the said form and in terms of this scheme,

(ii) The application shall be accompanied by a destruction certificate issued by the approved destruction facility certifying that the vehicle has been scrapped,

Applications under this scheme, together with all the relevant documents, shall be submitted by the applicant during working days between 07:30 and 13:00 or mailed to

a) Transport Malta's Driver and Vehicle Licensing Unit (DVLU) at:Level 1, A3 Towers, Arcade Street, Paola PLA1212;

b) Malta Transport Centre, Pantar Road, Ħal Lija LJA2021; or

c) Transport Malta, St. Francis Square, Victoria, Gozo.

**4. Eligibility**

(i) To be eligible, an applicant shall conform with Section 2.

(ii) Biex tikkwalifika, vettura bil-mutur ġdida tal-Kategorija M1:

a) għandha tkun tal-aħħar Euro Standard skont ir-Regolament tal-Kummissjoni (KE) Nru 459/2012 kif muri fiċ-ċertifikat ta' konformità;

b) għandu jkollha emissjonijiet ta' $CO_2$ NEDC bejn 0-130g/km jew, bejn 0-170g/km għaċ-ċiklu tat-test WLTP u kif muri fiċ-ċertifikat ta' konformità;

c) ma tkunx itwal minn 4460mm kif muri fiċ-ċertifikat ta' konformità;

d) tkun ġiet reġistrata wara l-1 ta' Jannar 2021;

e) tkun għal użu privat.

(iii) Biex tikkwalifika, vettura li tkun se titneħħa mir-reġistrazzjoni għandha:

a) ikollha mill-anqas għaxar (10) snin fid-data meta ssir l-applikazzjoni, bl-età tal-vettura tiġi determinata billi missena kalendarja fid-data meta ssir l-applikazzjoni titnaqqas is-sena tal-manifattura murija fiċ-ċertifikat tar-reġistrazzjoni tal-vettura;

b) tkun irreġistrata u ggaraxxjata jew inħarġitilha liċenzja mill-Awtorità f'isem l-applikant fid-data tal-applikazzjoni kif ikun juri ċ-ċertifikat tar-reġistrazzjoni tal-vettura jew kif ikkonfermat mill-Awtorità;

c) ladarba titneħħa mir-reġistrazzjoni, il-vettura għandha tiġi meqruda skont id-dispożizzjonijiet tat-Taqsima VIII tar-Regolamenti dwar ir-Reġistrazzjoni u l-Liċenzjar ta' Vetturi bil-Mutur (LS368.02).

d) Vetturi mneħħija mir-reġistrazzjoni li jkunu bbenefikaw mid-dispożizzjonijiet ta' S.L.65.24 ma jkunux eliġibbli għal din l-iskema ta' skrappjar.

(iv) Biex jikkwalifika, applikant ma jridx ikun ibbenefika minn xi għotja tal-iskemi fuq xiri ta' vetturi li jagħmlu inqas ħsara lill-ambjent li kienu fis-seħħ bejn is-snin 2016 u 2021.

Vetturi rreġistrati fl-1 ta' Jannar 2022 jew wara għandhom japplikaw bil-formola ta' applikazzjoni l-ġdida mnedija b'din l-iskema. L-applikazzjonijiet kollha preċedenti fil-format l-antik ma jiġux aċċettati.

**5. Ħlas tal-għotja**

5.1 Fejn l-applikant jikkwalifika għall-għotja, l-għotja titħallas direttament lill-applikant.

(ii) To qualify, the new Category M1 motor vehicle shall:

a) be latest Euro Standard and in accordance with Commission Regulation (EC) 459/2012 as certified on the Certificate of Conformity;

b) have NEDC CO2 emissions between 0-130 g/km, or between 0-170 g/km for the WLTP test cycle as certified on the Certificate of Conformity;

c) have a length that does not exceed 4460mm as certified on the Certificate of Conformity;

d) have been registered after the 1st of January 2021;

e) be licensed for private use.

(iii) To qualify, the motor vehicle to be de-registered shall:

a) be at least ten (10) years old on the date of application, the age of the vehicle being determined as the calendar year on the date of application less the year of manufacture as certified on the vehicle registration certificate;

b) have been registered, garaged, or licensed with the Authority in the name of the applicant on the date of application, as shown on the vehicle's registration certificate or as confirmed by the Authority;

c) once de-registered, the motor vehicle shall be destroyed in accordance with the provisions of Part VIII of the Registration and Licensing of Motor Vehicles Regulations (SL368.02);

d) Deregistered vehicles which had benefitted from the provisions of S.L.65.24 shall not be eligible for this scrappage scheme.

(iv) To qualify, an applicant shall not have benefitted from the grant schemes on the purchase of more environment-friendly cars which were in force between the years 2016 – 2021;

Vehicles registered on or after the 1st of January 2022 must apply with the new application form launched with this scheme. All previous applications in the old format will not be accepted.

**5. Payment of Grant**

5.1 Where an applicant qualifies for the grant, the grant shall be paid directly to that applicant.

L-għotja tingħata wkoll lil dak l-applikant li jibbenefika minn eżenzjoni mit-taxxa tar-reġistrazzjoni u, f'każ bħal dak, isiru arranġamenti finanzjarji differenti.

L-għotja li tingħata lix-xerrej m'għandhiex titqies bħala dħul għall-finijiet tat-taxxa fuq id-dħul.

5.2 Fil-każ ta' applikazzjonijiet minn organizzazzjonijiet mhux Governattivi li jwettqu attività ekonomika, il-kundizzjonijiet li ġejjin għandhom japplikaw:

Il-ħlas isir biss sakemm l-ammont totali *de minimis* tal-għajnuna mogħtija lil impriża waħda ma jabbiżx il-mitejn elf ewro (€200,000) jew mitt elf ewro (€100,00) fil-każ ta' xi impriża waħda li twettaq trasport tal-merkanzija bit-triq b'kiri jew bi ħlas, fuq kwalunkwe perjodu konsekuttiv ta' tliet (3) snin fiskali.

Dan il-limitu massimu jkun jinkludi l-għajnuna mill-Istat mogħtija taħt din l-iskema ta' għajnuna u kull miżura oħra ta' għajnuna mill-Istat mogħtija taħt ir-regoli *de minimis,* inklużi dawk riċevuti mingħand kwalunkwe entità apparti Transport Malta, matul il-perjodu ta' tliet snin fiskali. Kwalunkwe għajnuna *de minimis* riċevuta li taqbeż il-limitu massimu stabbilit trid tkun irkuprata, bl-imgħax, mingħand l-organizzazzjoni mhux Governattiva li tirċievi l-għajnuna.

L-applikanti għandhom jimlew u jissottomettu, flimkien mal-formola tal-applikazzjoni, formola ta' dikjarazzjoni *de minimis* iffirmata li tkun tindika kull għajnuna *de minimis* riċevuta matul is-sena fiskali attwali u s-sentejn fiskali preċedenti.

**6. Validità tal-applikazzjoni**

Applikazzjoni ma titqiesx li tkun ġiet ippreżentata mill-applikant kemm il-darba din ma tkunx ġiet mimlija b'mod sħiħ u ma jkunux ġew preżentati magħha d-dokumenti kollha relevanti. Jekk l-applikazzjoni ma tiġix mimlija b'mod korrett u ma jkollhiex magħha d-dokumenti relattivi, it-talba għall-għotja ma tiġix proċessata sakemm ma tiġix provduta l-informazzjoni li tkun nieqsa. L-Awtorità għandha tikteb lill-applikant dwar l-informazzjoni li tkun meħtieġa.

**7. Rifużjoni tal-għotja jekk il-vettura tiġi trasferita**

Il-vettura ġdida mixtrija mill-applikant għandha tibqa' reġistrata f'isem l-applikant għal perjodu ta' mill-anqas sitta u tletin (36) xahar mid-data tal-ewwel reġistrazzjoni. Jekk is-sid reġistrat ta' vettura ġdida li għaliha tkun ingħatat għotja taħt din l-iskema jittrasferixxi, għal xi raġuni li ma jkunx trasferiment *causa mortis* lil xi werriet, l-imsemmija vettura lil terza persuna qabel jiskadi l-perjodu ta' sitta u tletin (36) xahar, hu jkun irid irodd lura l-għotja li jkun irċieva lill-Awtorità.

The grant would also be payable when the applicant enjoys an exemption from registration tax and, in such a case, separate financial arrangements are made.

The grant given to the purchaser shall not be assessed as income for income tax purposes.

5.2. In the case of applications by non-Governmental organisations that carry out an economic activity, the following additional conditions shall apply:

Payment shall be affected only if the total amount of *de minimis* aid granted to a single undertaking does not exceed the amount of two hundred thousand Euro (€200,000) or one hundred thousand Europ (€100,000) in the case of single undertakings performing road freight transport for hire or reward, over any period of three (3) consecutive fiscal years.

This maximum threshold would include State aid granted under this aid scheme and any other State aid measure implemented under the *de minimis* Regulation, including that received from any entity other than Transport Malta, over a period of three fiscal years. Any *de minimis* aid received in excess of the established applicable threshold will have to be recovered, with interest, from the non-Governmental organisation receiving the aid.

Applicants are to fill in and submit, together with the application form, a signed *de minimis* declaration form indicating any *de minimis* aid received during the current fiscal year and the previous two fiscal years.

**6.Validity of application**

An application shall not be deemed to have been submitted by the applicant unless it is completed in full and is accompanied by all the relevant documents. If the application is not completed correctly and the relevant documents are not included, the claim for the grant shall not be processed unless the missing information is provided. The Authority shall write to the applicant advising him of the information required.

**7. Refund of grant if the vehicle is transferred**

The new motor vehicle purchased by the applicant shall remain registered in the applicant's name for a period of at least thirty-six (36) months from the date of first registration. If the registered owner of a new motor vehicle on which a grant has been provided under this scheme, transfers the said vehicle, for any reason to a third party, other than a transfer *causa mortis* to a heir, before the expiry of the thirty-six month period, then that person shall refund the grant received to the Authority.

**8. Tul tal-iskema**

Din l-iskema tibqa' fis-seħħ għal perjodu massimu ta' tnax-il xahar li jibdew fl-1 ta' Jannar, 2022 sakemm din l-iskema ma tiġix modifikata jew mitmuma qabel iż-żmien b'Avviż fil-Gazzetta tal-Gvern. L-iskema tiġi mitmuma b'mod awtomatiku meta l-ammont totali ta' l-għotjiet jilħaq l-€500,000. Madankollu, il-Gvern jista' jtemm l-iskema fi kwalunkwe żmien b'Avviż fil-Gazzetta tal-Gvern billi jagħti avviż minn qabel.

L-iskema tista' tiġġedded kif jitqies li hu meħtieġ mill-Ministru b'Avviż fil-Gazzetta tal-Gvern.

**9. Emendi għall-iskema**

Il-Ministru responsabbli għat-Trasport, l-Infrastruttura u Proġetti Kapitali jkollu d-dritt li jagħmel kull tibdil f'din l-iskema b'Avviż fil-Gazzetta tal-Gvern.

**10. Talbiet b'qerq**

Jekk jinstab li talbiet għall-għotja jkunu saru b'qerq, il-Ministru responsabbli għat-Trasport, Infrastruttura u Proġetti Kapitali jista' jiftaħ proċeduri kriminali kontra dawk responsabbli. Fil-każ li jkun sar ħlas żbaljat għal talba, il-Ministeru responsabbli għat-Trasport, Infrastruttura u Proġetti Kapitali jirriserva d-dritt li jirkupra l-flus imħallsa bi żball.

**11. Rifużjonijiet tal-VAT**

Applikanti li jirċievu għotja taħt din l-iskema ma jkunux eliġibbli għal xi rifużjoni mill-VAT fuq ix-xiri tal-vettura ġdida li għaliha tkun ingħatat l-għotja.

Il-5 ta' Lulju, 2022

**Nru. 804**

**MINISTERU GĦAT-TRASPORT, INFRASTRUTTURA U PROĠETTI KAPITALI**

**Għotjiet mill-Gvern għax-Xiri ta' Vetturi Aċċessibbli għal Siġġijiet bir-Roti biex jintużaw għall-Ġarr ta' Passiġġieri b'Kiri jew b'Kumpens**

IL-MINISTERU għat-Trasport, Infrastruttura u Proġetti Kapitali, flimkien mal-Awtorità għat-Trasport f'Malta, qed joffri inċentiv f'forma ta' għotja finanzjarja għal-liċenzjar ta' vetturi ġodda fil-Kategoriji M1, jew M2, jew M3, li jkunu aċċessibbli għal siġġijiet bir-roti sabiex jintużaw għall-ġarr ta' passiġġieri b'kiri jew b'kumpens, bil-ħsieb li persuni li jagħmlu użu minn siġġijiet bir-roti jkollhom aċċess faċli u mingħajr bżonn ta' għajnuna għal dawn is-servizzi ta' trasport.

**8. Duration of scheme**

This scheme shall remain in force for a maximum period of twelve months starting on 1st January 2022 unless modified or terminated beforehand by a Notice in the Government Gazette. The scheme shall be automatically terminated when the total amount of the grants reaches the amount of €500,000. Notwithstanding, Government may terminate the scheme at any time by giving prior notice.

The scheme may be renewed as deemed necessary by the Minister by a Notice in the Government Gazette.

**9. Amendments to the scheme**

The Minister responsible for Transport, Infrastructure and Capital Projects shall have the right to make any amendments to this scheme by a Notice in the Government Gazette.

**10. Fraudulent claims**

Where a fraudulent claim arises, the Minister responsible for Transport, Infrastructure and Capital Projects may institute criminal proceedings against those responsible. In the event of an incorrect payment of a claim, the Ministry responsible for Transport, Infrastructure and Capital Projects reserves the right to recover funds paid in error.

**11. VAT refunds**

Applicants that receive a grant under this scheme shall not be eligible for any VAT refunds on the purchase of the new vehicle on which such a grant has been paid.

5th July, 2022

**No. 804**

**MINISTRY FOR TRANSPORT, INFRASTRUCTURE AND CAPITAL PROJECTS**

**Government Grant on the Purchase of Wheelchair-Accessible Vehicles to be used for the Transport of Passengers for Hire or Reward**

THE Ministry for Transport, Infrastructure and Capital Projects, together with the Authority for Transport in Malta, is offering an incentive in the form of a financial grant for the licensing of new wheelchair-accessible M1, or M2, or M3 Category vehicles to be used for the transport of passengers for hire or reward, so that persons who make use of wheelchairs may have easy and unaided access to these transport services.

Permezz ta' din l-iskema persuni li huma sidien ta' liċenzja ta' Taxi, jew ta' Liċenzja ta' Operatur għall-Ġarr ta' Passiġġieri b'Vetturi Żgħar, jew ta' Liċenzja ta' Operatur għall-Ġarr ta' Passiġġieri jistgħu jirċievu għotja li tammonta għal għaxart-elef Ewro (€10,000) meta jilliċenzjaw vettura ġdida fil-kategorija M1, jew M2, jew M3 li tkun aċċessibbli għal siġġu bir-roti biex tintuża taħt kwalunkwe waħda minn dawn il-liċenzji u fl-istess ħin ineħħu mir-reġistrazzjoni vettura oħra fil-Kategorija M1, jew N1, jew M2, jew N2, jew M3, jew N3 li jkollha mill-anqas għaxar (10) snin mis-sena tal-manifattura tagħha, li tkun irreġistrata f'isem l-applikant fil-jum tat-tneħħija mir-reġistrazzjoni.

L-iskema għandha titqies li daħlet fis-seħħ fl-1 ta' Jannar 2022 u għandha tkun limitata għal ħmistax (15) il-vettura – li jistgħu jkunu reġistrati bħala taxis, jew bħala vetturi żgħar għall-ġarr ta' passiġġieri, jew bħala vetturi għall-ġarr ta' passiġġieri - fuq bażi ta' min jiġi l-ewwel jinqeda l-ewwel. L-iskema tibqa' miftuħa sal-31 ta' Dicembru 2022, jew sakemm jiġi eżawrit il-baġit allokat għaliha li jammonta għal mija u ħamsin elf Ewro (€150,000).

Il-kundizzjonijiet ta' din l-iskema huma bla preġudizzju għall-ħtiġijiet stipulati fir-Regolamenti dwar Servizzi tat-Taxi (L.S.499.59), fir-Regolamenti dwar Servizzi ta' Ġarr ta' Passiġġieri b'Vetturi Żgħar u Servizzi ta' Kiri ta' Vetturi (L.S.499.68) u fir-Regolamenti dwar Servizzi ta' Ġarr ta' Passiġġieri (L.S. 499.56); u dawn il-ħtiġijiet għandhom japplikaw dejjem u f'kull ħin sakemm ma jkunx speċifikat mod ieħor.

Sidien li irreġistraw vettura aċċessibli għal siġġijiet bir-roti bħala Taxi, vettura żgħira għall-ġarr ta' passiġġieri jew vettura għall-ġarr ta' passiġġieri fl-2021 u ma bbenefikawx mill-iskema rispettiva ta' dik is-sena jew ta' xi sena preċedenti jistgħu japplikaw għall-din l-iskema.

**L-Iskema**

**1. Interpretazzjoni**

Għall-finijiet ta' din l-iskema, sakemm ir-rabta tal-kliem ma tkunx teħtieġ xort'oħra:

'applikant' tfisser il-persuna jew l-impriża li tkun qiegħda tapplika għall-għotja taħt din l-iskema u li, apparti li tkun residenti jew stabbilita f'Malta, tkun jew sid ta' Liċenzja ta' Taxi, jew sid ta' Liċenzja ta' Operatur għall-Ġarr ta' Passiġġieri b'Vetturi Żgħar, jew sid ta' Liċenzja ta' Operatur għall-Ġarr ta' Passiġġieri;

'applikazzjoni' tfisser l-applikazzjoni li ssir għal għotja taħt din l-iskema;

'l-Awtorità' tfisser l-Awtorità għat-Trasport f'Malta stabbilita taħt id-dispożizzjonijiet tal-Att dwar l-Awtorità għat-Trasport f'Malta (Kap. 499);

Through this scheme persons who own a Taxi licence, or a Light Passenger Transport Operator Licence, or a Carriage of Passengers Operator Licence may receive a grant amounting to ten thousand Euro (€10,000) when licensing a new M1, or M2, or M3 Category vehicle which is wheelchair-accessible to be used under any of these licences, and at the same time de-register another M1, or N1, or M2, or N2, or M3, or N3 category vehicle which is at least ten (10) years old from its year of manufacture and which is registered on the applicant's name on the date of deregistration.

The scheme is deemed to have come into effect on the 1st of January 2022 and shall be limited to fifteen (15) vehicles - which may be Taxis, or Light Passenger Transport Vehicles, or Passenger Transport Vehicles - on a first come first served basis. The scheme shall remain open until the 31st of December 2022, or until the allocated budget of one hundred and fifty thousand Euro (€150,000) is exhausted.

The conditions of this scheme are without prejudice to the requirements stipulated in the Taxi Services Regulations (S.L.499.59), the Light Passenger Transport Services and Vehicle Hire Services Regulations (S.L.499.68), and the Passenger Transport Services Regulations (S.L.499.56); and such requirements shall always apply unless otherwise specified.

Owners who registered a wheelchair accessible vehicle as a Taxi, a Light Passenger Transport Vehicle or a Passenger Transport Vehicle in 2021 but did not benefit from the respective grant scheme for that year or any previous year may still apply for this scheme.

**The Scheme**

**1. Interpretation**

For the purpose of this scheme, unless the context otherwise requires:

'applicant' means the person or undertaking applying for the grant under this scheme and who, apart from residing or being established in Malta, is the owner of a Taxi Licence, or a Light Passenger Transport Operator Licence, or a Carriage of Passengers Operator Licence;

'application' means the application made for a grant under this scheme;

'Authority' means the Authority for Transport in Malta set up under the provisions of the Authority for Transport in Malta Act (Cap. 499);

'ċertifikat ta' konformità' tfisser id-dokument stabbilit fir-Regolament (UE) 2018/858, maħruġ mill-manifattur u li jiċċertifika li vettura li tappartjeni għas-serje tat-tip approvat skont dak ir-Regolament tikkonforma mal-atti regolatorji kollha fil-mument tal-produzzjoni tagħha;

'certificate of conformity' means the document set out in Regulation (EU) 2018/858, issued by the manufacturer and certifying that a vehicle belonging to the series of the type approved in accordance with that Regulation complied with all regulatory acts at the time of its production;

'ċertifikat tar-reġistrazzjoni tal-vettura' tfisser iċ-ċertifikat ta' reġistrazzjoni ta' vettura maħruġ mill-Awtorità li jiċċertifika li l-vettura bil-mutur hija reġistrata;

'carriage of passengers operator licence' means a licence to operate passenger transport vehicles in accordance with the Passenger Transport Services Regulations (S.L. 499.56);

*'Euro standard'* tfisser u tikkorrispondi mad-dati stabbiliti fid-Direttivi u r-Regolamenti korrenti tal-UE li jistabbilixxu l-limiti ta' emissjoni għar-reġistrazzjoni ta' vetturi bil-mutur ġodda;

'Euro Standard' means and corresponds to the dates set out in the current EU Directives and Regulations establishing emission limits for the registration of new motor vehicles;

'għotja' tfisser l-għotja li qiegħda tingħata taħt din l-iskema lix-xerrej ta' vettura aċċessibbli għal siġġu bir-roti sabiex tkun liċenzjata jew bħala Taxi, jew bħala Vettura Żgħira għall-Ġarr ta' Passiġġieri, jew bħala Vettura għall-Ġarr ta' Passiġġieri;

'grant' means the grant being given under this scheme to the purchaser of a wheelchair-accessible vehicle to be licensed as a Taxi, or as a Light Passenger Transport Vehicle, or as a Passenger Transport Vehicle;

'impriża stabbilita f'Malta' tfisser kull kumpanija kummerċjali, kompriżi soċjetajiet bi sħubija, reġistrati f'Malta mal-Awtorità Maltija għas-Servizzi Finanzjarji, jew persuna li taħdem għal rasha skont il-liġi nazzjonali, jew koperattiva;

'undertaking established in Malta' means any commercial company including partnerships registered in Malta with the Malta Financial Services Authority, or a self-employed person in accordance with National Law, or a cooperative society;

'impriża waħda tinkludi, għall-finijiet ta' din l-iskema, l-intrapriżi kollha li jkollhom bejniethom mill-inqas waħda mir-relazzjonijiet li ġejjin:

'single undertaking' includes, for the purposes of this scheme, all enterprises having at least one of the following relationships with each other:

a) intrapriża waħda li jkollha l-maġġoranza tad-drittijiet tal-vot tal-azzjonisti jew tal-membri f'intrapriża oħra;

a) one enterprise has a majority of the shareholders' or members' voting rights in another enterprise;

b) intrapriża waħda li jkollha d-dritt taħtar jew tneħħi maġġoranza mill-membri tal-korp amministrattiv, tal-ġestjoni jew dak ta' sorveljanza ta' intrapriża oħra;

b) one enterprise has the right to appoint or remove a majority of the members of the administrative, management or supervisory body of another enterprise;

ċ) intrapriża waħda li jkollha d-dritt teżerċita influwenza dominanti fuq intrapriża oħra skont kuntratt ma' dik l-intrapriża jew skont dispożizzjoni tal-memorandum jew tal-artikoli ta' assoċjazzjoni tagħha;

c) one enterprise has the right to exercise a dominant influence over another enterprise pursuant to a contract entered with that enterprise or to a provision in its memorandum or articles of association;

d) intrapriża waħda, illi tkun azzjonista fi jew membru ta' intrapriża oħra, tikkontrolla waħedha, skont ftehim ma' azzjonisti oħra fi jew membri ta' dik l-intrapriża, maġġoranza tad-drittijiet tal-voti tal-azzjonisti jew tal-membri f'dik l-intrapriża.

d) one enterprise, which is a shareholder in or member of another enterprise, controls alone, pursuant to an agreement with other shareholders in or members of that enterprise, a majority of shareholders' or members' voting rights in that enterprise.

L-intrapriżi li jkollhom waħda mir-relazzjonijiet imsemmijin fil-punti (a) sa (d) t'hawn fuq permezz ta' intrapriża waħda jew aktar, għandhom wkoll jitqiesu bħala impriża waħda.

Enterprises having any of the relationships referred to in points (a) to (d) above through one or more other enterprises shall also be considered to be a single undertaking.

'liċenzja' tfisser il-liċenzja taċ-ċirkolazzjoni li tinħareġ fuq vettura bil-mutur biex tkun tista' tinsaq fit-triq u li tkun trid tiġġedded kull sena;

'licence' means the circulation licence issued on a motor vehicle to be driven on the road and which is to be renewed annually;

'liċenzja ta' Operatur għall-Ġarr ta' Passiġġieri b'Vettur Żgħar' tfisser liċenzja sabiex ikunu mħaddma vetturi żgħar għall-ġarr ta' passiġġieri skont kif stipulat fir-Regolamenti dwar Servizzi ta' Ġarr ta' Passiġġieri b'Vetturi Żgħar u Servizzi ta' Kiri ta' Vetturi (L.S.499.68) u għall-finijiet ta' din l-iskema tinkludi wkoll Permess ta' *Garage* għal Servizz Pubbliku maħruġ skont ir-Regolamenti dwar Vetturi bil-Mutur (L.S. 65.11);

'light passenger transport operator licence' means a licence to operate light passenger transport vehicles in accordance with the Light Passenger Transport Services and Vehicle Hire Services Regulations (S.L.499.68) and for the purpose of this scheme shall also include a public service garage licence issued in terms of the Motor Vehicles Regulations (S.L. 65.11);

'liċenzja ta' Operatur għall-Ġarr ta' Passiġġieri' tfisser liċenzja sabiex ikunu mħaddma vetturi għall-ġarr tal-passiġġieri skont kif stipulat fir-Regolamenti dwar Servizzi ta' Ġarr ta' Passiġġieri (L.S.499.56);

'passenger transport operator licence' means a licence to operate passenger transport vehicles in accordance with the Passenger Transport Services Regulations (S.L.499.56)

'liċenzja ta' Taxi' għandha l-istess tifsira mogħtija lilha fir-Regolamenti dwar Servizzi tat-Taxi (L.S. 499.59);

'Taxi licence' has the same meaning as is assigned to it in the Taxi Services Regulations (S.L.499.59);

'Malta' tfisser il-gżejjer Maltin;

'Malta' means the Maltese Islands;

'persuna' tfisser persuna fiżika;

'person' means a natural person;

'persuna residenti f'Malta' tfisser persuna fiżika li jkollha dokument ta' identifikazzjoni legalment validu maħruġ skont l-Att dwar il-Karta tal-Identità u Dokumenti oħra tal-Identità (Kap. 258) jew li jkollha permess ta' residenza jew ittra maħruġa mill-uffiċċju tal-espatrijazzjoni fil-Ministeru għall-Affarijiet Barranin;

'person residing in Malta' means a natural person who either holds a legally valid identification document issued in terms of the Identity Card and other Identity Documents Act (Cap. 258) or who has a residence permit or a letter issued from the expatriate office at the Ministry of Foreign Affairs;

'sid reġistrat' tfisser il-persuna jew l-impriża li f'isimha vettura tkun ġiet reġistrata mill-Awtorità;

'registered owner' means the person or undertaking in whose name a motor vehicle is registered by the Authority;

'tneħħija mir-reġistrazzjoni' tfisser it-tneħħija permanenti ta' vettura bil-mutur mir-reġistrazzjoni tagħha mal-Awtorità għat-Trasport f'Malta u wara, dik il-vettura ma għandha qatt terġa' tiġi reġistrata biex tintuża fit-triq f'Malta;

'de-registration' means the permanent removal of a motor vehicle from its registration with the Authority for Transport in Malta and thereafter, that motor vehicle shall never be registered again to be used on the road in Malta;

'vettura aċċessibbli għal siġġu bir-roti' tfisser vettura bil-mutur fil-kategorija M1, jew M2, jew M3 li jkollha aċċess faċli u bla għajnuna lil persuni li jagħmlu użu minn siġġijiet bir-roti;

'de-registered vehicle' means a Category M1, or N1, or M2, or N2, or M3, or N3 motor vehicle which has been de-registered;

'vettura għall-ġarr ta' passiġġieri' għandha l-istess tifsira mogħtija lilha fir-Regolamenti dwar Servizzi ta' Ġarr ta' Passiġġieri (L.S.499.56);

'passenger transport vehicle' has the same meaning as is assigned to it in the Passenger Transport Services Regulations (S.L.499.56);

'vettura żgħira għall-ġarr ta' passiġġieri' għandha l-istess tifsira mogħtija lilha fir-Regolamenti dwar Servizzi ta' Ġarr ta' Passiġġieri b'Vetturi Żgħar u Servizzi ta' Kiri ta' Vetturi (L.S.499.68);

'light passenger transport vehicle' has the same meaning as is assigned to it in the Light Passenger Transport Services and Vehicle Hire Services Regulations (S.L.499.68);

'vettura fil-Kategorija M1' tfisser vettura bil-mutur użata għall-ġarr ta' passiġġieri, li tista' ġġorr mhux aktar minn tmien (8) passiġġieri minbarra s-sewwieq;

'Category M1 vehicle' means a motor vehicle used for the carriage of persons and which may carry no more than eight (8) passengers in addition to the driver;

'vettura fil-Kategorija M2' tfisser vettura bil-mutur użata għall-ġarr ta' passiġġieri, li tista' ġġorr aktar minn tmien (8) passiġġieri minbarra s-sewwieq, u li għandha piż massimu li ma jaqbiżx il-ħames (5) tunnellati;

'Category M2 vehicle' means a motor vehicle used for the carriage of persons comprising more than eight (8) seats in addition to the driver's seat, and having a maximum mass not exceeding five (5) tonnes;

'vettura fil-Kategorija M3' tfisser vettura bil-mutur użata għall-ġarr ta' passiġġieri, li tista' ġġorr aktar minn tmien (8) passiġġieri minbarra s-sewwieq, u li għandha piż massimu li jaqbeż il-ħames (5) tunnellati;

'vettura fil-Kategorija N1' tfisser vettura bil-mutur użata għall-ġarr tal-merkanzija u li l-ogħla massa tagħha ma tkunx aktar minn tliet tunnellati u nofs (3.5);

'Vettura tal-Kategorija N2' tfisser vettura bil-mutur użata għall-ġarr ta' merkanzija u li għandha massa massima li ma taqbiżx is-seba' tunnellati u nofs (7.5);

'Vettura tal-Kategorija N3' tfisser vettura bil-mutur użata għall-ġarr ta' merkanzija u li għandha massa massima ta' aktar minn seba' tunnellati u nofs (7.5);

'vettura ġdida' tfisser vettura li qatt ma ġiet reġistrata qabel f'ebda pajjiż;

'vettura li tneħħiet mir-reġistrazzjoni' tfisser vettura bil-mutur fil-Kategorija M1, jew N1, jew M2, jew N2, jew M3, jew N3 li tneħħietilha r-reġistrazzjoni;

'Unjoni Ewropea' għandha l-istess tifsira mogħtija lilha fl-artikolu 2 tal-Att dwar l-Unjoni Ewropea (Kap. 460), u tinkludi n-Norveġja, l-Islanda u Liechtenstein.

**2. Għal min tapplika l-iskema**

2.1 L-iskema tapplika għal kull persuna li tkun residenti f'Malta u impriża stabbilita f'Malta, jekk dik il-persuna jew impriża:

tkun is-sid reġistrat ta' liċenza ta' Taxi; jew

tkun is-sid ta' liċenzja ta' Operatur għall-Ġarr ta' Passiġġieri b'Vetturi Żgħar; jew

tkun is-sid ta' liċenzja ta' Operatur għall-Ġarr ta' Passiġġieri; u

tkun sid reġistrat ta' vettura fil-kategorija M1, jew N1, jew M2, jew N2, jew M3, jew N3 li għandha mill-anqas għaxar (10) snin mis-sena tal-manifattura li tkun irreġistrata f'isem l-applikant fil-jum tat-tneħħija mir-reġistrazzjoni, u li titneħħa mir-reġistrazzjoni.

2.2. Kull applikant ikun intitolat għal żewġ għotjiet biss taħt din l-iskema u jkun soġġett għal-limiti stabbiliti mir-Regolament De Minimis[1].

[1]Regolament tal-Kummissjoni (UE) Nru. 1407/2013 tat-18 ta' Diċembru 2013 dwar l-applikazzjoni tal-Artikoli 107 u 108 tat-Trattat dwar il-Funzjonament tal-Unjoni Ewropea għall-għajnuna de minimis [OJ L 352/1] , kif emendat bir-Regolament tal-Kummissjoni (UE) 2020/972 tat-2 ta' Lulju 2020 li jemenda r-Regolament (UE) Nru 1407/2013 fir-rigward tal-estensjoni tiegħu u li jemenda r-Regolament (UE) Nru 651/2014 fir-rigward tal-estensjoni tiegħu u l-aġġustamenti rilevanti [ĠU L 215/3].

'Category M3 vehicle' means a motor vehicle used for the carriage of persons comprising more than eight (8) seats in addition to the driver's seat, and having a maximum mass exceeding five (5) tonnes;

'Category N1 vehicle' means a motor vehicle used for the carriage of goods and having a maximum mass not exceeding three and a half (3.5) tonnes;

'Category N2 vehicle' means a motor vehicle used for the carriage of goods and having a maximum mass not exceeding seven and a half (7.5) tonnes;

'Category N3 vehicle' means a motor vehicle used for the carriage of goods and having a maximum mass exceeding seven and a half (7.5) tonnes;

'new motor vehicle' means a motor vehicle which has never been registered in any country;

'wheelchair-accessible vehicle' means an M1 or M2 or M3 category motor vehicle that allows easy and unaided access to persons who make use of wheelchairs.

'European Union' has the same meaning as is assigned to it by article 2 of the European Union Act (Cap. 460), and includes Norway, Iceland and Liechtenstein;

**2. Area of applicability**

2.1 The scheme applies to persons residing in Malta and undertakings established in Malta, if that person or undertaking:

is the registered owner of a Taxi licence; or

is the holder of a Light Passenger Transport Operator Licence; or

is the holder of a Carriage of Passengers Operator Licence; and

is the registered owner of a Category M1, or N1, or M2, or N2, or M3, or N3 motor vehicle which is at least ten (10) years old from the year of manufacture, which is registered on the applicant's name on the date of de-registration, and which is de-registered.

2.2. Each applicant shall be entitled to a maximum of two (2) grants under this scheme and shall be subject to the De Minimis Regulation[1].

[1]Commission Regulation (EU) No. 1407/2013 of 18 December 2013 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to de minimis aid [OJ L 352/1], as amended by Commission Regulation (EU) 2020/972 of 2 July 2020, amending Regulation (EU) No 1407/2013 as regards it prolongation and amending Regulation (EU) No 651/2014 as regards its prolongation and relevant adjustments [OJ L 215/3].

**3. Kif għandha ssir l-applikazzjoni u d-dokumenti li għandhom jiġu ppreżentati**

(i) Il-proċess li ġej għandu japplika għal applikazzjoni għall-għotja taħt din l-iskema:

(a) Fil-każ li l-vettura li tiġi ordnata diġà addattata b'aċċess għal siġġu bir-roti:

i. Qabel ma ssir l-ordni tal-vettura, l-applikant għandu jippreżenta dawn id-dokumenti għall-approvazzjoni tal-Awtorità:

- id-dettalji tekniċi tal-vettura;
- il-formola WAV1 mimlija kif suppost u ffirmata mill-applikant;
- dokument ta' identifikazzjoni legalment validu tal-applikant;
- dettalji tal-vettura li tkun ser titneħħa mir-reġistrazzjoni.

ii. Meta ssir l-ordni għall-vettura l-applikant għandu jippreżenta lill-Awtorità kopja tal-ordni sabiex l-għotja tal-flus tkun riżervata f'ismu;

iii. Meta l-vettura tasal Malta, l-aġent jew l-applikant għandu jippreżenta ċ-ċertifikat ta' konformità, li jkun juri n-numru tax-xażi u d-dettalji tekniċi tal-vettura sabiex din tkun tista' tiġi rreġistrata u liċenzjata għall-użu fit-triq;

iv. Japplikaw ukoll il-passi addizzjonali fil-punt (ċ) hawn taħt.

(b) Fil-każ li l-vettura li tiġi ordnata mhux diġà addattata b'aċċess għal siġġu bir-roti, u li se tkun immodifikata għal dan il-għan f'Malta:

i. Qabel ma ssir l-ordni tal-vettura, l-applikant għandu jippreżenta dawn id-dokumenti għall-approvazzjoni tal-Awtorità:

- id-dettalji tekniċi tal-vettura;
- il-formola WAV1 mimlija u ffirmata mill-applikant;
- proposta ta' modifika tal-vettura mħejjija u ffirmata minn Inġinier b'warrant fl-Inġinerija Mekkanika;
- dokument ta' identifikazzjoni legalment validu tal-applikant;
- dettalji tal-vettura li se tkun imneħħija mir-reġistrazzjoni.

ii. Meta ssir l-ordni għall-vettura, l-applikant għandu jippreżenta lill-Awtorità kopja tal-ordni sabiex l-għotja tal-flus tkun riżervata f'ismu;

iii. Meta l-vettura tasal Malta, l-aġent jew l-applikant għandu jippreżenta ċ-ċertifikat ta' konformità, li jkun juri

**3. Manner of application and supporting documents**

(i) The following application process for this grant scheme shall apply:

(a) In the case of a vehicle being ordered that is already adapted for wheelchair access:

i. Before the vehicle is ordered, the applicant shall submit the following documents for the Authority's approval:

- the vehicle's technical details;
- form WAV1 duly filled and signed by the applicant;
- copy of a legally valid identification document of the applicant;
- details of the vehicle to be de-registered.

ii. When the vehicle is ordered the applicant shall present the Authority with a copy of the order so that the grant may be reserved on his behalf;

iii. When the vehicle arrives in Malta, the agent or the applicant shall submit the certificate of conformity, detailing the vehicle's chassis number and technical details so that it can be registered and licensed for use on the road;

iv. additional steps in item (c) below shall be followed.

(b) In the case of a vehicle being ordered that is not already adapted for wheelchair access, and which will be so modified in Malta:

i. Before the vehicle is ordered, the applicant shall submit the following documents for the Authority's approval:

- the vehicle's technical details;
- form WAV1 duly filled and signed by the applicant;
- a vehicle modification proposal prepared and signed by a warranted Mechanical Engineer;
- copy of a legally valid identification document of the applicant;
- details of the vehicle to be de-registered.

ii. When the vehicle is ordered, the applicant shall present the Authority with a copy of the order so that the grant may be reserved on his behalf;

iii. When the vehicle arrives in Malta, the agent or the applicant shall submit the certificate of conformity, detailing

n-numru tax-xażi u d-dettalji tekniċi tal-vettura sabiex din tkun tista' tiġi rreġistrata u ggaraxjata;

iv. Il-vettura għandha minnufih tittieħed fil-post fejn se tkun immodifikata, u l-modifika għandha ssir skont il-proposta ta' modifika tal-Inġinier kif approvata mill-Awtorità;

v. Il-vettura mmodifikata għandha tiġi ppreżentata għall-ispezzjoni mit-Technical Unit tal-Awtorità, flimkien ma' rapport imħejji minn Inġinier b'warrant fl-Inġinjerija Mekkanika fejn jiċċertifika li l-modfiċi li jkunu saru fuq il-vettura jkunu siguri. L-Awtorità tista' tiddeċiedi li jitqiegħdu s-siġilli tagħha mal-modifiċi li jkunu saru;

vi .Meta l-vettura tkun approvata mit-Technical Unit tal-Awtorità, din tkun tista' tiġi liċenzjata għall-użu fit-triq;

vii. Japplikaw ukoll il-passi addizjonali fil-punt (ċ) hawn taħt.

(ċ) Passi addizzjoniali li japplikaw fiż-żewġ każijiet t'hawn fuq:

i. Jekk il-vettura tkun se tiġi liċenzjata bħala Taxi, l-applikant għandu jippreżenta wkoll il-formola TX-A1 fejn jindika x'se jsir mill-vettura li tkun irreġistrata taħt il-Liċenzja tat-Taxi sa dak il-mument;

ii. Jekk il-vettura tkun se tiġi liċenzjata bħala Vettura Żgħira għall-Ġarr ta' Passiġġieri, l-applikant għandu jippreżenta wkoll kopja tal-Liċenzja ta' Operatur għall-Ġarr ta' Passiġġieri b'Vetturi Żgħar;

iii. Jekk il-vettura tkun se tiġi liċenzjata bħala Vettura għall-Ġarr ta' Passiġġieri, l-applikant għandu jippreżenta wkoll il-formola CPOL-A3 sabiex il-vettura tiżdied taħt il-Liċenzja ta' Operatur għall-Ġarr ta' Passiġġieri tal-applikant;

iv. Fl-istess waqt li l-vettura aċċessibbli għal siġġu bir-roti tkun preżentata biex tiġi liċenzjata għall-użu fit-triq, l-applikant għandu jippreżenta dokument ta' qerda maħruġ minn faċilità ta' trattament awtorizzata li jkun jiċċertifika li l-vettura rreġistrata fuq ismu għandha mill-anqas għaxar (10) snin mis-sena tal-manifattura tagħha tkun ġiet meqruda fl-istess faċilità u għalhekk tkun tista' titneħħa mir-registrazzjoni mil-Awtorità.

(ii) Applikazzjonijiet taħt din l-iskema, flimkien mad-dokumenti kollha relevanti, għandhom jiġu ppreżentati jew mibgħuta mill-applikant lit-Taqsima tal-Liċenzjar tas-Servizzi tat-Trasport Stradali, Transport Malta, Livell 0, A3 Towers, Triq l-Arkata, Paola waqt il-ħinijiet ta' ftuħ murija fis-sezzjoni tat-Trasport Stradali fil-website ta' Transport Malta (https://www.transport.gov.mt/).

the vehicle's chassis number and technical details so that it can be registered and garaged;

iv. The vehicle shall be immediately taken to the place where it shall be modified, and the modification shall be done according to the engineer's modification proposal as approved by the Authority;

v. The modified vehicle shall be presented for inspection at the Authority's Technical Unit, along with a report prepared by a warranted Mechanical Engineer certifying that the modifications done to the vehicle are safe. The Authority may decide to affix its seals to the modifications made;

vi. When the vehicle is approved by the Technical Unit, it may be licensed for use on the road;

vii. additional steps in item (c) below shall be followed.

(c) Additional steps applicable for both the above cases:

i. If the vehicle is to be licensed as a Taxi, the applicant shall also submit form TX-A1 indicating what shall happen to the vehicle registered under the Taxi Licence up to that moment;

ii. If the vehicle is to be registered as a Light Passenger Transport Vehicle, the applicant shall submit a copy of the Light Passenger Transport Operator Licence;

iii. If the vehicle is to be registered as a Passenger Transport Vehicle, the applicant shall submit form CPOL-A3 to add the vehicle under the applicant's Operator's Licence for the Carriage of Passengers;

iv. At the same time when the wheelchair-accessible vehicle is to be licensed for use on the road, the applicant shall submit a certificate of destruction issued by an authorised treatment facility certifying that the vehicle registered on the applicant's name which is at least ten (10) years old from its year of manufacture has been destroyed in the same facility and therefore may be de-registered by the Authority.

(ii) Applications under this scheme, together with all the relevant documents, shall be submitted or sent by the applicant to the Road Transport Licensing Unit, Transport Malta, Level 0, A3 Towers, Arcade Street, Paola during the opening hours shown in the Land Transport section of Transport Malta's website (https://www.transport.gov.mt/).

**4. Eliġibbiltà**

(i) Sabiex ikun eleġibbli, applikant għandu jkun konformi mas-subtaqsimiet 2.1 u 2.2 tat-Taqsima 2, u mal-kundizzjonijiet u r-regoli kollha applikabbli kif stipulati fir-Regolamenti dwar Servizzi tat-Taxis (L.S.499.59), fir-Regolamenti dwar Servizzi ta' Ġarr ta' Passiġġieri b'Vetturi Żgħar u Servizzi ta' Kiri ta' Vetturi (L.S.499.68) u fir-Regolamenti dwar Servizzi ta' Ġarr ta' Passiġġieri (L.S.499.56).

(ii) Biex tikkwalifika għall-iskema, vettura aċċessibbli għal siġġu bir-roti għandha tkun:

a) vettura ġdida fil-kategorija M1, jew M2, jew M3, li tkun kompatibbli mal-Euro 6 Standard[2] jew mal-EURO VI Standard[3], skont kif applikabbli u skont kif iċċertifikata fiċ-Ċertifikat ta' Konformità tal-vettura;

b) manifatturata b'tali mod sabiex persuna li tuża siġġu bir-roti tkun tista' taċċessa l-vettura faċilment u mingħajr għajnuna, u tkun tista' tinġarr fil-vettura b'mod sigur; jew

ċ) immodifikata lokalment, hekk kif approvat mit-Technical Unit tal-Awtorità, sabiex persuna li tuża siġġu bir-roti tkun tista' taċċessa l-vettura faċilment u mingħajr għajnuna, u tkun tista' tinġarr fil-vettura b'mod sigur. Tali modifika m'għandiex tieħu aktar minn tliet (3) xhur mid-data li minnha il-vettura tkun ġiet irreġistrata f'Malta;

d) liċenzjata għall-użu fit-triq bħala taxi, jew bħala vettura żgħira għall-ġarr tal-passiġġieri, jew bħala vettura għall-ġarr ta' passiġġieri mhux aktar tard mill-31 ta' Diċembru, 2022.

(iii) Biex tikkwalifika, vettura li tkun ser titneħħa mir-reġistrazzjoni għandha:

a) jkollha mill-anqas għaxar (10) snin fid-data meta ssir l-applikazzjoni, bl-età tiġi kkalkulata billi titnaqqas is-sena tal-manifattura tal-vettura muri fuq iċ-ċertifikat ta' reġistrazzjoni tal-vettura mis-sena li fiha tkun ġiet sottomessa l-applikazzjoni;

b) tkun irreġistrata f'isem l-applikant fid-data meta titneħħa mir-reġistrazzjoni skont kif muri fiċ-ċertifikatbtar-reġistrazzjoni u kif ikkonfermat mill-Awtorità;

c) tkun ġiet mgħoddija għand faċilità ta' trattament awtorizzata;

[2] Skont ir-Regolament (UE) Nru. 459/2012
[3] Skont ir-Regolament (UE) Nru. 582/2011

**4. Eligibility**

(i) To be eligible, an applicant shall conform with subsections 2.1 and 2.2 of Section 2, and with all applicable conditions and regulations stipulated in the Taxi Services Regulations (S.L.499.59), the Light Passenger Transport Services and Vehicle Hire Services Regulations (S.L.499.68), and the Passenger Transport Services Regulations (S.L.499.56);

(ii) To qualify for the grant, a wheelchair-accessible vehicle shall be:

a) a new M1, or M2, or M3 category motor vehicle complying with Euro Standard 6[2] or Euro Standard VI[3], as applicable and as certified on the vehicle's Certificate of Conformity; and

b) manufactured in a way so that a person using a wheelchair may access the vehicle easily and unaided, and may be transported in the vehicle safely; or

c) modified locally, as approved by the Authority's Technical Unit, so that a person using a wheelchair may access the vehicle easily and unaided and may be transported in the vehicle safely. Such modification shall not take longer than three (3) months from the date of the vehicle's registration in Malta to be completed; and

d) licensed for use on the road as a taxi, or as a light passenger transport vehicle, or as a passenger transport vehicle by not later than 31st December, 2022.

(iii) To qualify, a motor vehicle that shall be de-registered shall:

a) have at least ten (10) years on the date of application, with the age being calculated by deducting the vehicle's year of manufacture shown on the vehicle's registration certificate from the year in which the application is submitted;

b) be registered in the name of the applicant on the date when the vehicle is to be de-registered, as shown on the vehicle's registration certificate or as confirmed by the Authority;

c) have been transferred to an authorised treatment facility;

[2] In accordance with Regulation (EU) No. 459/2012
[3] In accordance with Regulation (EU) No. 582/2011

d) tkun trid titneħħa mir-reġistrazzjoni skont id-dispożizzjonijiet tat-Taqsima VIII tar-Regolamenti dwar ir-Reġistrazzjoni u l-Liċenzjar ta' Vetturi bil-Mutur (L.S. 368.02) mhux iktar minn tletin (30) jum qabel ma tkun irreġistrata l-vettura ġdida aċċessibbli għal siġġu bir-roti.

e) Vetturi mneħħija mir-reġistrazzjoni li jkunu bbenefikaw mid-dispożizzjonijiet ta' S.L.65.24 ma jkunux eliġibbli għal din l-iskema ta' skrappjar.

(iv) L-għotja li tingħata m'għandhiex titqies bħala dħul għall-finijiet ta' taxxa fuq l-Income.

(v) L-iskema għandha tkun limitata għal ħmistax (15) il-vetturi eliġibbli fuq bażi ta' min jiġi l-ewwel jinqeda l-ewwel.

**5. Ħlas tal-għotja**

Fejn l-applikant jikkwalifika għall-għotja, tali għotja titħallas direttament lill-applikant.

Il-ħlas isir biss jekk l-applikant ma jkunx laħaq il-limiti stabbiliti mir-Regolament De Minimis, jiġifieri l-għajnuna totali *de minimis* mogħtija lil impriża waħda, m'għandhiex tkun iktar minn mitejn elf Ewro (€200,000), jew mitt elf Ewro (€100,000) lil impriża waħda li twettaq trasport tal-merkanzija bit-triq b'kiri jew b'kumpens, fuq kwalunkwe perjodu konsekuttiv ta' tliet (3) snin fiskali.

Il-limitu massimu jkun jinkludi l-għajnuna mill-iStat mgħotija taħt din l-iskema ta' għajnuna u kull miżura oħra ta' għajnuna mill-iStat mogħtija taħt ir-regoli *de minimis,* inkluż dawk riċevuti minn kwalunkwe entita' apparti Transport Malta, matul il-perjodu ta' tlett snin fiskali. Kwalunkwe għajnuna de minimis riċevuta li teċċedi il-limitu massimu stabbilit trid tkun irkuprata, bl-interessi, mingħand l-impriża li tirċievi l-għajnuna.

L-applikanti kollha għandhom jimlew u jissottomettu, flimkien mal-formola tal-applikazzjoni, formola ta' dikjarazzjoni *de minimis* iffirmatha li tkun tindika kull għajnuna *de minimis* riċevuta matul is-sena fiskali attwali u l-aħħar sentejn fiskali.

**6. Validità tal-applikazzjoni**

Applikazzjoni ma titqiesx li tkun ġiet ippreżentata mill-applikant kemm-il darba din ma tkunx ġiet mimlija b'mod sħiħ u ma jkunux ġew preżentati magħha d-dokumenti kollha relevanti. Jekk l-applikazzjoni ma tiġix mimlija

d) have been de-registered in terms of Part VIII of the Registration and Licensing of Motor Vehicles Regulations (S.L.368.02) not more than thirty (30) days before the wheelchair accessible vehicle is registered.

e) Deregistered vehicles which had benefitted from the provisions of S.L.65.24 shall not be eligible for this scrappage scheme.

(iv) The grant given shall not be assessed as income for tax purposes.

(v) The scheme will be limited to fiftenn (15) eligible vehicles on a first-come-first-served basis.

**5. Payment of Grant**

Where an applicant qualifies for the grant, such grant shall be paid directly to that applicant.

Payment shall be effected only if the applicant would not have reached the limits established in the De Minimis Regulation, i.e. the total amount of *de minimis* aid granted to a single undertaking shall not exceed the amount of two hundred thousand Euro (€200,000), or one hundred thousand Euro (€100,000) for a single undertaking performing road freight transport for hire or reward, over any period of three (3) consecutive fiscal years.

This maximum threshold would include all State aid granted under this aid scheme and any other State aid measure granted under the *de minimis* rule, including that received from any entity other than Transport Malta, over a period of three fiscal years. Any *de minimis* aid received in excess of the established applicable threshold will have to be recovered, with interest, from the undertaking receiving the aid.

All applicants are to fill in and submit, together with the application form, a signed *de minimis* declaration form indicating any *de minimis* aid received during the current fiscal year and the previous two fiscal years.

**6. Validity of application**

An application shall not be deemed to have been submitted by the applicant unless it is completed in full and is accompanied by all the relevant documents. If the application is not completed correctly and the relevant

korrettement u ma jkollhiex magħha d-dokumenti relattivi, t-talba għall-għotja ma tiġix proċessata sakemm ma tiġix provduta l-informazzjoni li tkun nieqsa. L-Awtorità għandha tikteb lill-applikant dwar l-informazzjoni addizzjonali li tkun meħtieġa.

**7. Rifużjoni tal-għotja**

Vettura aċċessibbli għal siġġu bir-roti mixtrija mill-applikant u li għaliha tkun ingħatat għotja taħt din l-iskema għandha tibqa' reġistrata f'isem l-applikant bħala Taxi, jew bħala Vettura Żgħira għall-Ġarr tal-Passiġġieri, jew bħala Vettura għall-Ġarr ta' Passiġġieri għal perjodu ta' mill-anqas sitta u tletin (36) xahar mid-data tal-ewwel reġistrazzjoni. Jekk sid reġistrat ta' vettura aċċessibbli għal siġġu bir-roti li għaliha tkun ingħatat għotja taħt din l-iskema jittrasferixxi l-imsemmija vettura għal xi raġuni oħra għajr trasferiment causa mortis lil xi werriet, lil terza persuna, hu jkun obligat irodd lura l-għotja li jkun irċieva lill-Awtorità.

Jekk is-sid reġistrat ta' vettura aċċessibbli għal siġġu bir-roti li għaliha tkun ingħatat għotja taħt din l-iskema jilliċenzja l-vettura għal użu privat matul il-perjodu msemmi hawn fuq, dak is-sid ikun obbligat irodd lura l-ammont sħiħ tal-għotja lill-Awtorità.

**8. Tul tal-iskema**

Din l-iskema tibqa' fis-seħħ sal-31 ta' Diċembru 2022 sakemm ma tiġix modifikata jew mitmuma qabel iż-żmien permezz ta' Avviż fil-Gazzetta tal-Gvern. L-iskema tiġi terminata b'mod awtomatiku meta l-ammont totali ta' għotjiet approvati jilħaq il-mija u ħamsin elf Ewro (€150,000).

**9. Emendi għall-iskema**

Il-Ministru għat-Trasport, Infrastruttura u Proġetti Kapitali jkollu d-dritt li jagħmel kull emendi f'din l-iskema permezz t' Avviż fil-Gazzetta tal-Gvern.

**10. Talbiet b'qerq**

Jekk jinstab li talbiet għall-għotja jkunu saru b'qerq, il-Ministru għat-Trasport, Infrastruttura u Proġetti Kapitali jista' jistittwixxi proċeduri kriminali kontra dawk responsabbli. Fil-każ li jkun sar ħlas żbaljat għal talba, il-Ministru għat-Trasport, Infrastruttura u Proġetti Kapitali, jirriżerva d-dritt li jirkupra l-flus imħallsa bi żball.

Il-5 ta' Lulju, 2022

documents are not included, the claim for the grant shall not be processed unless the missing information is provided. The Authority for Transport in Malta shall write to the applicant advising him of the additional information required.

**7. Refunding of grant**

A new wheelchair-accessible vehicle purchased by the applicant and which a grant is issued under this scheme shall remain registered in the applicant's name as a Taxi, or as a Light Passenger Transport Vehicle, or as a Passenger Transport Vehicle for a period of at least thirty-six (36) months from the date of first registration. If a registered owner of a wheelchair-accessible vehicle on which a grant has been granted under this scheme transfers the said vehicle for any reason, other than a transfer causa mortis to an heir, to a third party, he shall be obliged to refund the grant received to the Authority.

If the registered owner of a wheelchair-accessible vehicle on which a grant has been issued under this scheme licences the vehicle for private use within thirty-six (36) months from the date of first registration, that owner shall be obliged to refund the full grant amount to the Authority.

**8. Duration of scheme**

This scheme shall remain in force until the 31st December 2022 unless modified or terminated beforehand by a Notice in the Government Gazette. The scheme shall be automatically terminated when the total amount of approved grants reaches the amount of one hundred and fifty thousand Euro (€150,000).

**9. Amendments to the scheme**

The Minister for Transport, Infrastructure and Capital Projects shall have the right to make any amendments to this scheme by a Notice in the Government Gazette.

**10. Fraudulent claims**

Where a fraudulent claim arises, the Minister for Transport, Infrastructure and Capital Projects may institute criminal proceedings against those responsible. In the event of an incorrect payment of a claim, the Minister for Transport, Infrastructure and Capital Projects reserves the right to recover funds paid in error.

5th July, 2022

**Nru. 805**

## MINISTERU GĦAT-TRASPORT, INFRASTRUTTURA U PROĠETTI KAPITALI

### Skema ta' Għotjiet tal-Gvern biex tippromwovi l-installazzjoni ta' Pannelli Fotovoltajċi Approvati fuq Vetturi għall-Ġarr tal-Passiġġieri

IL-MINISTERU għat-Trasport, Infastruttura u Proġetti Kapitali, flimkien mal-Awtorità għat- Trasport f'Malta, qed iniedi skema ta' għotja ta' flus biex jinċentiva sidien ta' vetturi għall-ġarr tal-passiġġieri bħal karozzi tal-linja, kowċis u *minibuses*, sabiex inaqqsu l-konsum tal-fjuwil u l-emissjoni tal-Carbon Dioxide (CO2) mill-vetturi bil-mutur tagħhom permezz tal-installazzjoni ta' pannelli fotovoltajċi approvati. Din hija miżura oħra favur l-ambjent maħsuba biex ikomplu jonqsu l-emissjonijiet mit-traffiku stradali.

Soġġetta għall-kundizzjonijiet t'hawn taħt, għotja ugwali għal 15% tal-investiment meħtieġ għall-installazzjoni ta' pannelli fotovoltajċi approvati se tingħata lis-sidien irreġistrati tal-vetturi kkonċernati. Madanakollu, l-ammont tal-għotja m'għandux jaqbeż id-disa' mitt Ewro (€900) fil-każ ta' vettura fil-kategorija M3 (xarabank jew kowċ) jew l-erba' mija u ħamsin Ewro (€450) fil-każ ta' vettura fil-kategorija M2 (*minibus*).

L-iskema tidħol fis-seħħ fl-1 ta' Jannar 2022 u tagħlaq fil-31 ta' Diċembru 2022, jew sakemm il-baġit allokat ta' mitt elf Ewro (€100,000) jiġi eżawrit.

Applikanti li għammru l-vetturi tagħhom b'pannelli fotovoltajċi approvati fl-2020 jew fl-2021 jistgħu wkoll japplikaw għal din l-għotja.

L-għotjiet taħt din l-iskema għandhom jiġu assenjati fuq bażi ta' min jiġi l-ewwel jinqeda l-ewwel.

**L-ISKEMA**

**1. Interpretazzjoni**

Għall-finijiet ta' din l-iskema, sakemm ir-rabta tal-kliem ma tkunx teħtieġ xort'oħra:

'applikant' tfisser il-persuna li tkun qiegħda tapplika għall-għotja taħt din l-iskema u li, filwaqt li tkun impriża stabbilita f'Malta, jkollha l-vettura reġistrata f'isimha;

'applikazzjoni' tfisser l-applikazzjoni li ssir għal għotja taħt din l-iskema;

'ċertifikat ta' tagħmir' tfisser iċ-ċertifikat maħruġ minn persuna kompetenti wara li tkun saret l-installazzjoni ta'

**No. 805**

## MINISTRY FOR TRANSPORT, INFRASTRUCTURE AND CAPITAL PROJECTS

### Government grant scheme to promote the installation of Approved Photovoltaic Panels on Passenger Transport Vehicles

THE Ministry for Transport, Infrastructure and Capital Projects in conjunction with the Authority for Transport in Malta, is launching a grant scheme to incentivise owners of passenger transport vehicles, such as buses, coaches, and minibuses, to reduce the fuel consumption and emission of Carbon Dioxide (CO2) from their motor vehicles through the installation of Approved Photovoltaic Panels. This is another environment-friendly budget measure aimed at further reducing emissions from road traffic.

Subject to the below conditions, a grant amount equal to 15% of the investment costs required for the installation of approved photovoltaic panels shall be issued to the registered owners of the concerned vehicles. However, the grant amount shall not exceed nine hundred Euro (€900) in the case of a Category M3 vehicle (bus or coach) or four hundred and fifty Euro (€450) in the case of a Category M2 vehicle (minibus).

The scheme comes into effect on the 1st of January 2022 and closes on the 31st of December 2022, or until the allocated budget of one hundred thousand Euro (€100,000) is exhausted.

Applicant who equipped their vehicles with approved photovoltaic panels in 2020 or 2021 may also apply for this grant.

The grants in this scheme shall be assigned on a first-come-first-served basis.

**THE SCHEME**

**1. Interpretation**

For the purposes of the scheme, unless the context otherwise requires:

'applicant' means the person applying for the grant under this scheme and who, apart from being an undertaking established in Malta, has the vehicle registered in his name;

'application' means the application made for a grant under this scheme;

'certificate of installation' means the certificate issued by a competent person after carrying out the installation

pannelli fotovoltajċi approvati fuq vettura għat-trasport tal-passiġġieri;

'ċertifikat tar-reġistrazzjoni tal-vettura' tfisser iċ-ċertifikat ta' reġistrazzjoni ta' vettura maħruġ minn Transort Malta li jiċċertifika li l-vettura bil-mutur hija reġistrata u f'isem min il-vettura hija reġistrata;

'għotja' tfisser l-għotja li qiegħda tingħata taħt din l-iskema lil applikant li jissodisfa r-rekwiżiti tat-taqsima 4;

'impriża stabbilita f'Malta' tfisser kull kumpanija kummerċjali, kompriżi soċjetajiet bi sħubija, reġistrati f'Malta mal-Awtorità Maltija għas-Servizzi Finanzjarji, jew persuna li taħdem għal rasha skont il-Liġi Nazzjonali, jew koperattiva;

'impriża waħda tinkludi, għall-iskopijiet ta' din l-iskema, l-intrapriżi kollha li jkollhom bejniethom mill-inqas waħda mir-relazzjonijiet li ġejjin:

a) intrapriża waħda li jkollha l-maġġoranza tad-drittijiet tal-vot tal-azzjonisti jew tal-membri f'intrapriża oħra;

b) intrapriża waħda li jkollha d-dritt taħtar jew tneħħi maġġoranza mill-membri tal-korp amministrattiv, tal-ġestjoni jew dak ta' sorveljanza ta' intrapriża oħra;

c) intrapriża waħda li jkollha d-dritt teżerċita influwenza dominanti fuq intrapriża oħra skont kuntratt ma' dik l-intrapriża jew skont dispożizzjoni tal-memorandum jew tal-artikoli ta' assoċjazzjoni tagħha;

d) intrapriża waħda, illi tkun azzjonista fi jew membru ta' intrapriża oħra, tikkontrolla waħedha, skont ftehim ma' azzjonisti oħra fi jew membri ta' dik l-intrapriża, maġġoranza tad-drittijiet tal-voti tal-azzjonisti jew tal-membri f'dik l-intrapriża.

L-intrapriżi li jkollhom waħda mir-relazzjonijiet imsemmijin fil-punti (a) sa (d) tal-ewwel subparagrafu permezz ta' intrapriża waħda jew aktar għandhom wkoll jitqiesu bħala impriża waħda.

'Malta' tfisser il-gżejjer Maltin;

'pannelli fotovoltajċi approvati' tfisser apparat li jittrasforma l-enerġija tad-dawl f'elettriku, li huwa ddisinjat speċifikament biex jiġi installat fuq vetturi għat-trasport tal-passiġġieri, u li huwa approvat għal dan il-għan minn Transport Malta skont il-klawsola 3(i);

'persuna kompetenti' tfisser il-persuna li hija impjegata jew ingaġġata minn installatur approvat u li hija approvata biex tinstalla pannelli fotovoltajċi fuq vetturi mill-manifattur tal-istess pannelli.

of approved photovoltaic panels on a passenger transport vehicle;

'vehicle registration certificate' means the vehicle registration certificate issued by Transport Malta providing proof of registration of the motor vehicle and in whose name the vehicle is registered.

'grant' means the grant being given under this scheme to an applicant who satisfies the requirements of section 4;

'undertaking established in Malta' means any commercial company including partnerships registered in Malta with the Malta Financial Services Authority, or a self-employed person in accordance with National Law, or a cooperative society;

'single undertaking' includes, for the purposes of this scheme, all enterprises having at least one of the following relationships with each other:

a) one enterprise has a majority of the shareholders' or members' voting rights in another enterprise;

b) one enterprise has the right to appoint or remove a majority of the members of the administrative, management or supervisory body of another enterprise;

c) one enterprise has the right to exercise a dominant influence over another enterprise pursuant to a contract entered with that enterprise or to a provision in its memorandum or articles of association;

d) one enterprise, which is a shareholder in or member of another enterprise, controls alone, pursuant to an agreement with other shareholders in or members of that enterprise, a majority of shareholders' or members' voting rights in that enterprise.

Enterprises having any of the relationships referred to in points (a) to (d) above through one or more other enterprises shall also be considered to be a single undertaking.

'Malta' means the islands of Malta;

'approved photovoltaic panels' means a device that transforms light energy into electricity, which is specifically designed to be installed on passenger transport vehicle, and which is approved for this purpose by Transport Malta pursuant to Section 3(i);

'competent person' means the person who is employed or engaged by an approved installer and who is approved to install photovoltaic panels on vehicles by the manufacturer of the same panels.

'sid reġistrat' tfisser il-persuna li f'isimha vettura tkun ġiet reġistrata minn Transport Malta;

'Transport Malta' tfisser l-Awtorità għat-Trasport f'Malta stabbilita bl-Att dwar l-Awtorità għat-Trasport f'Malta (KAP. 499);

'vettura għat-trasport tal-passiġġieri' tfisser vettura tal-Kategorija M2 jew M3

'vettura tal-Kategorija M2' tfisser vettura bil-mutur użata għall-ġarr ta' persuni li tinkludi aktar minn tmien (8) sedili minbarra s-sedil tas-sewwieq, u li għandha massa massima li ma taqbiżx ħames (5) tunnellati;

'vettura tal-Kategorija M3' tfisser vettura bil-mutur użata għall-ġarr ta' persuni li tinkludi aktar minn tmien (8) sedili minbarra s-sedil tas-sewwieq, u li għandha massa massima ta' aktar minn ħames (5) tunnellati.

**2. Għal min tapplika l-iskema**

2.1 L-iskema tapplika għal impriżi stabbiliti f'Malta, u ser tkun implimentata skond id-dispożizzjonijiet tar-Regolamenti tal-Kummissjoni (UE) Nru 1407/2013 tat-18 ta' Diċembru 2013 dwar l-applikazzjoni tal-Artikoli 107 u 108 tat-Trattat dwar il-Funzjonament tal-Unjoni Ewropea għall-għajnuna de minimis (ĠU L 352/1, 24.12.2013), kif emendat mir- Regolament tal-Kummissjoni (UE) 2020/972 tat-2 ta' Lulju 2020 li jemenda r-Regolament (UE) Nru 1407/2013 fir-rigward tal-estensjoni tiegħu u li jemenda r-Regolament (UE) Nru 651/2014 fir-rigward tal-estensjoni tiegħu u l-aġġustamenti rilevanti (ĠU L 215/3, 7.7.2020).

2.2 L-applikant irid ikun is-sid reġistrat ta' vettura għall-ġarr ta' passiġġieri li:

(i) hija rreġistrata ma', u liċenzjata minn, Transport Malta f'isem l-applikant fid-data tat-tagħmir u fid-data tas-sottomissjoni tal-applikazzjoni għall-għotja;

(ii) ġiet mgħammra b'pannelli fotovoltajċi approvati; u

(iii) kellha l-installazzjoni msemmija f'2.2(ii) imwettqa minn persuna kompetenti.

**3. Kif għandha ssir l-applikazzjoni u d-dokumenti li għandhom jiġu ppreżentati**

3.1. Applikazzjoni għall-approvazzjoni ta' pannelli fotovoltajċi sabiex ikun installati fuq vetturi għat-trasport tal-passiġġieri,

(i) Impriża li tixtieq tibda toffri s-servizz ta' installazzjoni ta' pannelli fotovoltajċi fuq vetturi għat-trasport tal-

'registered owner' means the person in whose name a motor vehicle is registered by Transport Malta;

'Transport Malta' means the Authority for Transport in Malta set up under the provisions of the Authority for Transport in Malta Act (CAP. 499);

'passenger transport vehicle' means a Category M2 or M3 vehicle;

'Category M2 vehicle' means a motor vehicle used for the carriage of persons comprising more than eight (8) seats in addition to the driver's seat, and having a maximum mass not exceeding five (5) tonnes;

'Category M3 vehicle' means a motor vehicle used for the carriage of persons comprising more than eight (8) seats in addition to the driver's seat, and having a maximum mass exceeding five (5) tonnes;

**2. Area of applicability**

2.1 The scheme applies to undertakings established in Malta, and will be implemented in line with the provisions of Commission Regulation (EU) No. 1407/2013 of 18 December 2013 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to de minimis aid (OJ L 352/1, 24.12.2013), as amended by Commission Regulation (EU) 2020/972 of 2 July 2020, amending Regulation (EU) No 1407/2013 as regards it prolongation and amending Regulation (EU) No 651/2014 as regards its prolongation and relevant adjustments (OJ L 215/3, 7.7.2020).

2.2 The applicant must be the registered owner of a passenger transport vehicle which:

(i) is registered with, and licensed by, Transport Malta in the name of the applicant on the date of installation and on the date of submission of application for the grant;

(ii) has been equipped with approved photovoltaic panels; and

(iii) had the installation mentioned in 2.2(ii) carried out by a competent person.

**3. Manner of application and supporting documents**

3.1. Application for approval of photovoltaic panels to be installed on passenger transport vehicles.

(i) An undertaking wishing to start offerring the service of installation of photovoltaic panels on passenger transport

passiġġieri għandha tippreżenta talba bil-miktub lil Transport Malta f'dan ir-rigward, flimkien mal-informazzjoni li ġejja:

a) Il-mudell jew mudelli ta' pannelli fotovoltajċi u kwalunkwe tagħmir relatat li l-impriża għandha l-ħsieb li tibda tinstalla;

b) Dokumentazzjoni teknika pprovduta mill-manifattur tal-pannelli li turi kif dawn il-pannelli u t-tagħmir kollu relatat jistgħu jiġu installati b'mod sigur fuq vetturi tat-trasport tal-passiġġieri u kif tali installazzjoni tista' tnaqqas il-konsum tal-fjuwil u l-impatt ambjentali tal-vetturi kkonċernati;

c) Istruzzjonijiet ta' installazzjoni pprovduti mill-manifattur tal-pannelli;

d) Id-dettalji tal-persuna jew persuni kompetenti li l-impriża bi ħsiebha timpjega jew tingaġġa għall-installazzjoni ta' dawn il-pannelli, flimkien ma' approvazzjoni bil-miktub għal kull tali persuna maħruġa mill-manifattur tal-pannelli fotovoltajċi;

Transport Malta għandha tipproċessa dawn it-talbiet u, fejn applikabbli, toħroġ lill-applikant ċertifikat ta' approvazzjoni għall-installazzjoni tal-pannelli fotovoltajċi proposti fuq vetturi tat-trasport tal-passiġġieri. Transport Malta tirriżerva d-dritt li tillimita tali approvazzjoni għal kategoriji jew mudelli speċifiċi ta' vetturi.

3.2. Applikazzjoni għall-approvazzjoni ta' pannelli fotovoltajċi sabiex ikun installati fuq vetturi għat-trasport tal-passiġġieri,

(i) Applikazzjoni għal għotja taħt din l-iskema għandha ssir mis-sid reġistrat ta' vettura għat-trasport tal-passiġġieri li fuqha jkunu ġew installati pannelli fotovoltajċi approvati. Għal dan il-għan għandha tintuża l-formola tal-applikazzjoni VEH72 – li tista' titniżżel mill-websajt ta' Transport Malta jew tinġabar mill-uffiċċji ta' Transport Malta fil-Raħal Ġdid, jew Ħal Lija, jew Għawdex.

(ii) L-applikazzjoni għandha tiġi ffirmata mill-applikant, u tiġi ffirmata u ttimbrata mill-persuna kompetenti, u għandhom jiġu preżentati magħha d-dokumenti u l-ħlas li ġejjin:

a) Kopja taċ-ċertifikat ta' approvazzjoni maħruġ minn Transport Malta għall-installazzjoni ta' pannelli fotovoltajċi fuq vetturi għall-ġarr tal-passiġġieri;

b) kopja taċ-ċertifikat tat-tagħmir maħruġ mill-persuna kompetenti;

c) iċ-ċertifikat tar-reġistrazzjoni oriġinali tal-vettura (il-logbook);

vehicles shall present Transport Malta with a written request in this regard, along with the following information:

(a) The model or models of photovoltaic panels and any related equipment that the undertaking intends to start installing;

(b) Technical documentation provided by the manufacturer of the panels proving how these panels and all related equipment can be installed safely on passenger transport vehicles and how such installation can reduce the fuel consumption and environmental impact of the vehicles concerned;

(c) Installation instructions provided by the manufacturer of the panels;

(d) The details of the competent person or persons that the undertaking intends to employ or engage for the installation of these panels, along with written approval for each such person issued by the manufacturer of the photovoltaic panels;

Transport Malta shall process such requests and, where applicable, issue the applicant with an approval certificate for the installation of the proposed photovoltaic panels on passenger transport vehicles. Transport Malta reserves the right to limit such approval to specific categories or models of vehicles.

3.2. Application for the grant for the installation of approved photovoltaic panels on passenger transport vehicles.

(i) An application for a grant under this scheme shall be made by the registered owner of a passenger transport vehicle on which approved photovoltaic panels have been installed. Application form VEH72 – which may be downloaded from the website of Transport Malta or collected from Transport Malta's offices in Paola, or Lija, or Gozo - shall be used for this purpose.

(ii) Applications shall be signed by the applicant, and signed and stamped by the competent person, and shall be accompanied by the following documents and payment:

(a) A copy of the approval certificate issued by Transport Malta for the installation of the photovoltaic panels on passenger transport vehicles;

(b) A copy of the certificate of installation issued by the competent person;

(c) the original vehicle's registration certificate (logbook);

d) ħlas amministrattiv ta' għaxar Ewro (€10), pagabbli lil Transport Malta, għall- ħruġ ta' ċertifikat ġdid ta' reġistrazzjoni tal-vettura.

(iii) Fil-każ ta' applikanti li installaw panneli fotovoltajċi fuq il-vetturi għat-trasport tal-passiġġieri tagħhom fl-2020 jew 2021, l-applikazzjoni għadha tinkludi evidenza dokumentata li:

a) L-ispeċifikazzjonijiet tal-pannelli fotovoltajċi u apparat relatat li ġew installati jaqblu ma dawk ta' mudelli ta' pannelli fotovoltajċi approvati skont is-sezzjoni 3.1 ta' dan id-dokument;

b) Il-persuna li għamlet l-installazzjoni kellha r-rekwiżiti neċessarji sabiex tkun ikkunsidrata bħala persuna kompetenti kif definit f'dan id-dokumentl;

(iv) Applikazzjonijiet taħt din l-iskema, flimkien mad-dokumenti rilevanti kollha, għandhom jiġu ppreżentati mill-applikant lil Transport Malta, Taqsima tal-Liċenzjar tat-Trasport Stradali (RTLU), A3 Towers, Triq l-Arkata, Raħal Ġdid, bejn is-07.30 ta' filgħodu u s-1.00 ta' wara nofsinhar, matul il-ġranet tax-xogħol, jew jintbagħtu bil-posta fl-istess indirizz.

**4. Eliġibbiltà**

(i) Biex ikun eliġibbli, l-applikant għandu jkun konformi mat-Taqsima 2.

(ii) Biex tikkwalifika, il-vettura għall-ġarr tal-passiġġieri:

(a) għandha tkun irreġistrata f'isem l-applikant fid-data li fiha ssir l-installazzjoni u fid-data tal-applikazzjoni għall-għotja;

(b) għandha tkun mgħammra b'pannelli fotovoltajċi approvati installati minn persuna kompetenti;

(iii) Transport Malta tirriżerva d-dritt li tispezzjona vetturi wara li jkunu ġew mgħammra l-pannelli fotovoltajċi approvati u qabel l-approvazzjoni tal-għotja relatata. Dawn l-ispezzjonijiet għandhom jiffukaw fuq is-sigurtà tal-installazzjoni u l-impatt tagħha fuq is-sigurtà u l-funzjonalità ġenerali tal-vettura ikkonċernata.

(iv) Applikant ikun intitolata għal massimu ta':

(a) għaxar (10) għotjiet taħt din l-iskema fil-każ ta' vetturi użati b'kiri jew kumpens; u

(b) ħames (5) għotjiet taħt din l-iskema fil-każ ta' vetturi għal użu privat.

(d) an administrative fee of ten Euro (€10), payable to Transport Malta, for the issue of a new vehicle registration certificate.

(iii) In the case of applicants who installed photovoltaic panels on their passenger transport vehicles in 2020 or 2021, the application shall include documented evidence that:

(a) The specifications of the installed photovoltaic panels and related equipment matches those of a model of photovoltaic panels approved by in accordance with section 3.1 of this document;

(b) The person conducting the installation had all the requirements necessary to be considered a competent person as defined in this document.

(iv) Applications under this scheme, together with all the relevant documents, shall be submitted by the applicant to Transport Malta, Road Transport Licensing Unit (RTLU), A3 Towers, Arcade Street, Paola, between 07:30 and 13:00 during working days, or mailed to the same address.

**4. Eligibility**

(i) To be eligible, an applicant shall conform with Section 2.

(ii) To qualify, the passenger transport vehicle:

(a) shall be registered in the applicant's name on the date of installation and date of submission of application for the grant;

(b) shall be equipped with approved photovoltaic panels installed by a competent person;

(iii) Transport Malta reserves the right to inspect vehicles following the installation of the approved photovoltaic panels and prior to the approval of the related grant. Such inspection shall focus on the safety of the installation and its impact on the overall safety and function of the concerned vehicle.

(iv) An applicant shall be entitled for a maximum of:

(a) ten (10) grants under this scheme if the vehicles are used for hire or reward; and

(b) five (5) grants under this scheme if the vehicles are used for private purposes.

**5. Ħlas tal-għotja**

Fejn l-applikant jikkwalifika għall-għotja, l-għotja titħallas direttament lill-applikant. L-għotja li tingħata m'għandhiex tkun stmata bħala dħul għall-skopijiet ta' taxxa fuq id-dħul.

Il-ħlas għandu jsir biss jekk l-għajnuna totali *de minimis* mogħtija lil xi impriża waħda ma taqbiżx il-limitu ta` €200,000 fuq kwalunkwe perjodu ta' tliet snin fiskali.

Il-limitu massimu jkun jinkludi l-għajnuna mill-iStat mogħtija taħt din l-iskema ta' għajnuna u kull miżura oħra ta' għajnuna mill-iStat mogħtija taħt ir-regoli *de minimis* inkluż dawk riċevuti minn kwalunkwe entita' apparti Transport Malta matul perjodu ta' tlett snin fiskali. Kwalunkwe għajnuna *de minimis* riċevuta li teċċedi il-limitu massimu stabbilit trid tkun irkuprata, bl-interessi, mingħand l-impriża li tirċievi l-għajnuna.

L-applikanti kollha għandhom jimlew u jissottomettu, flimkien mal-formola tal-applikazzjoni, formola ta' dikjarazzjoni *de minimis* iffirmata li tkun tindika kull għajnuna *de minimis* riċevuta matul is-sena fiskali attwali u l-aħħar sentejn fiskali.

**6. Validità tal-applikazzjoni**

Applikazzjoni m'għandiex titqies li tkun ġiet sottomessa mill-applikant sakemm ma tkunx mimlija kompletament u tkun akkumpanjata mid-dokumenti rilevanti kollha. Jekk l-applikazzjoni ma tkunx mimlija b'mod korrett jew d-dokumenti rilevanti ma jkunux inklużi, it-talba għall-għotja m'għandiex tiġi pproċessata sakemm ma tingħatax l-informazzjoni nieqsa. Transport Malta għandha tikteb lill-applikant biex tavżah dwar l-informazzjoni meħtieġa.

**7. Rifużjoni tal-għotja jekk it-tagħmir jitneħħa jew jiġi diżattivat**

Persuna li tirċievi għotja taħt din l-iskema għandha tkun obbligata li tirrifondi din l-għotja lill-Awtorità jekk f'perjodu ta' sitta u tletin (36) xahar mid-data tal-approvazzjoni tal-għotja:

(a) is-sid ta' vettura li fuqha kienet ġew installati pannelli fotovoltajċi approvati jagħmel talba lil Transport Malta biex jitneħħew il-pannelli fotovoltajċi;

(b) ikun ippruvat li din is-sistema jew tneħħiet, jew ġiet diżattivata bi kwalunkwe mod, jew ma kinitx qed tintuża kif xieraq.

Vettura li fuqha jkunu installati pannelli fotovoltajċi approvati u li fuqha tinħareġ għotja taħt din l-iskema għandha tibqa' reġistrata f'isem l-applikant għal perjodu

**5. Payment of Grant**

Where an applicant qualifies for the grant, the grant shall be paid directly to the applicant. The grant given shall not be assessed as income for income tax purposes.

Payment shall be affected only if the total amount of *de minimis* aid granted to a single undertaking does not exceed the threshold of €200,000 over any period of three fiscal years.

This maximum threshold would include all State aid granted under this aid scheme and any other State aid measure granted under the *de minimis* rule including that received from any entity other than Transport Malta over a period of three fiscal years. Any *de minimis* aid received in excess of the established threshold, will have to be recovered, with interest, from the undertaking receiving the aid.

All applicants are to fill in and submit, together with the application form, a signed *de minimis* declaration form indicating any *de minimis* aid received during the current fiscal year and the previous two fiscal years.

**6. Validity of application**

An application shall not be deemed to have been submitted by the applicant unless it is completed in full and is accompanied by all the relevant documents. If the application is not completed correctly or the relevant documents are not included, the claim for the grant shall not be processed until the missing information is provided. Transport Malta shall write to the applicant advising him about the information required.

**7. Refund of grant if the retrofitting is removed or disabled**

A person who receives a grant under this scheme shall be obliged to refund such grant to the Authority if within a period of at least thirty-six (36) months from the date of the grant's approval:

a) the owner of a vehicle on which approved photovoltaic panels had been installed makes a request to Transport Malta to have the photovoltaic panels removed; or

b) it is proven that this system was either removed, or disabled in any way, or was not being used appropriately.

A vehicle on which approved photovoltaic panels are installed and on which a grant is issued under this scheme shall remain registered in the applicant's name for a period of at

ta' mill-inqas sitta u tletin (36) xahar mid-data tal-ewwel reġistrazzjoni. Jekk sid reġistrat ta' vettura li fuqha tkun ingħatat għotja taħt din l-iskema jittrasferixxi l-imsemmija vettura għal kwalunkwe raġuni lil terza persuna, minbarra trasferiment causa mortis lil werriet, , huwa jkun obbligat li jirrifondi l-għotja riċevuta lil l-Awtorità.

**8. Tul tal-iskema**

Din l-iskema għandha tibqa' fis-seħħ sal-31 ta' Diċembru 2022, sakemm ma tkunx modifikata jew mitmuma minn qabel b'Avviż fil-Gazzetta tal-Gvern. Dawn l-għotjiet għandhom jitqiesu bħala mitmuma meta l-baġit allokat rispettiv jintlaħaq. Minkejja dan, il-Gvern jista' jtemm l-iskema fi kwalunkwe ħin billi jagħti avviż minn qabel.

L-iskema tista' tiġġedded kif meqjus neċessarju mill-Ministru għat-Trasport, Infrastruttura u Proġetti Kapitali permezz ta' Avviż fil-Gazzetta tal-Gvern.

**9. Emendi għall-iskema**

Il-Ministru għat-Trasport, Infrastruttura u Proġetti Kapitali jista' jagħmel kull emenda għal din l-iskema permezz ta' Avviż fil-Gazzetta tal-Gvern.

**10. Talbiet b'qerq**

Fejn tinstab talba għall-għotja li tkun saret b'qerq, Transport Malta tista' tibda proċeduri kriminali kontra dawk responsabbli. Fil-każ ta' ħlas żbaljat ta' talba, Transport Malta tirriżerva d-dritt li tirkupra l-fondi mħallsa bi żball.

Il-5 ta' Lulju, 2022

**Nru. 806**

**MINISTERU GĦAT-TRASPORT, INFRASTRUTTURA U PROĠETTI KAPITALI**

**Skema tal-Gvern biex Tippromwovi t-Tagħmir ta' Filtri tal-Partikuli tad-Diżil (DPF) u Sistemi ta' Tnaqqis Katalitiku Selettiv (SCR) fuq Vetturi *Heavy-Duty* b'Magni Diżil**

IL-MINISTERU għat-Trasport, Infrastruttura u Proġetti Kapitali flimkien mal-Awtorità għat-Trasport f'Malta, qed iniedu skema ta' għotjiet biex jinċentivaw lis-sidien ta' vetturi *heavy-duty* biex inaqqsu l-emissjonijiet tal-$NO_x$ mill-vetturi bil-mutur tagħhom permezz tat-tagħmir ta' filtri tal-partikuli tad-diżil (DPF) u Sistemi ta' Tnaqqis Katalitiku Selettiv (SCR). Din hija miżura oħra tal-baġit favur l-ambjent immirata biex tkompli tnaqqas l-emissjonijiet mit-traffiku fit-toroq.

least thirty-six (36) months from the date of first registration. If a registered owner of a vehicle on which a grant has been granted under this scheme transfers the said vehicle for any reason to a third party, other than a transfer causa mortis to an heir, he shall be obliged to refund the grant received to the Authority.

**8. Duration of scheme**

This scheme shall remain in force until the 31st December 2022, unless modified or terminated beforehand by a Notice in the Government Gazette. These grants shall be considered as terminated when the allocated budget is exhausted. Notwithstanding, Government may terminate the scheme at any time by giving prior notice.

The scheme may be renewed as deemed necessary by the Minister for Transport, Infrastructure and Capital Projects by a Notice in the Government Gazette.

**9. Amendments to the scheme**

The Minister for Transport, Infrastructure and Capital Projects may make any amendments to this scheme by a Notice in the Government Gazette.

**10. Fraudulent claims**

Where a fraudulent claim arises, Transport Malta may institute criminal proceedings against those responsible. In the event of an incorrect payment of a claim, Transport Malta reserves the right to recover funds paid in error.

5th July, 2022

**No. 806**

**MINISTRY FOR TRANSPORT, INFRASTRUCTURE AND CAPITAL PROJECTS**

**Government Scheme to Promote the Retrofitting of Diesel Particulate Filter (DPF) Devices and Selective Catalytic Reduction (SCR) Systems on Heavy-Duty vehicles with Diesel Engines**

THE Ministry for Transport, Infrastructure and Capital Projects in conjunction with the Authority for Transport in Malta, is launching a grant scheme to incentivise heavy-duty vehicle owners to reduce $NO_x$ emissions from their motor vehicles through the retrofitting of Diesel Particulate Filter (DPF) devices and Selective Catalytic Reduction (SCR) Systems. This is another environment-friendly budget measure aimed at further reducing emissions from road traffic.

Suġġett għall-kundizzjonijiet stipulati f'dan id-dokument, se titħallas għotja ta' għaxart elef Ewro (€10,000) lis-sidien reġistrati ta' vetturi bil-mutur *heavy-duty* li jiġu mgħammrin b'apparat tad-DPF u sistema tal-SCR li tirriżulta fi tnaqqis sostanzjali fl-emissjonijiet tal-$NO_x$.

L-iskema tidħol fis-seħħ fl-1 ta' Jannar 2022 u tagħlaq fil-31 ta' Diċembru 2022, jew sakemm il-baġit allokat ta' mitt elf Ewro (€100,000) jiġi eżawrit.

L-għotjiet f'din l-iskema għandhom jiġu assenjati fuq bażi ta' min jiġi l-ewwel jinqeda l-ewwel.

**L-ISKEMA**

**1. Interpretazzjoni**

Għall-finijiet tal-iskema, sakemm il-kuntest ma jeħtieġx mod ieħor:

'apparat tad-DPF' tfisser apparat li jaqbad fiżikament l-emissjonijiet tal-partikuli permezz ta' taħlita ta' mekkaniżmi ta' filtrazzjoni, bħal depożitu ta' diffużjoni, depożizzjoni inerzjali, jew interċettazzjoni tal-linja tal-fluss. Il-partikuli miġbura jitneħħew mill-filtru, kontinwament jew perjodikament, permezz ta' riġenerazzjoni termali;

'applikant' tfisser l-impriża li tapplika għall-għotja taħt din l-iskema li, minbarra li hija stabbilita f'Malta, għandha l-vettura reġistrata f'isimha;

'applikazzjoni' tfisser l-applikazzjoni magħmula għal għotja taħt din l-iskema;

'ċertifikat ta' reġistrazzjoni tal-vettura' tfisser iċ-ċertifikat ta' reġistrazzjoni tal-vettura maħruġ minn Transport Malta skont l-Att dwar ir-Reġistrazzjoni u l-Liċenzjar ta' Vetturi bil-Mutur (Kap 368), li jipprovdi prova tar-reġistrazzjoni tal-vettura bil-mutur u li f'isimha tkun reġistrata l-vettura;

'ċertifikat ta' tagħmir' tfisser iċ-ċertifikat maħruġ minn persuna kompetenti wara l-installazzjoni ta' apparat DPF u sistema SCR fuq vettura bil-mutur *heavy-duty*;

'DPF' tfisser filtru tal-partikuli tad-diżil;

'emissjonijiet tal-$NO_x$' tfisser emissjonijiet ta' ossidi tan-nitroġenu;

'għotja' tfisser l-għotja li qed tingħata taħt din l-iskema lil applikant li jissodisfa r-rekwiżiti tat-taqsima 4;

'impriżi fis-settur tas-sajd u tal-akkwakultura' tfisser impriżi attivi fil-produzzjoni, l-ipproċessar u l-kummerċjalizzazzjoni ta' prodotti tas-sajd u tal-akkwakultura;

Subject to the conditions stipulated in this document, a grant of ten thousand Euro (€10,000) will be paid to the registered owners of heavy-duty motor vehicles which are retrofitted with a DPF device and an SCR system resulting in a substantial reduction of $NO_x$ emissions.

The scheme comes into effect on the 1st of January 2022 and closes on the 31st of December 2022, or until the allocated budget of one hundred thousand Euro (€100,000) is exhausted.

The grants in this scheme shall be assigned on a first-come-first-served basis.

**THE SCHEME**

**1. Interpretation**

For the purposes of the scheme, unless the context otherwise requires:

'agricultural products' means products listed in Annex I to the Treaty, with the exception of fishery and aquaculture products covered by Council Regulation (EC) No 104/2000 of 17 December 1999 on the common organisation of the markets in fishery and aquaculture products (OJ L 17, 21.1.2000, p. 22);

'applicant' means the undertaking applying for the grant under this scheme which, apart from being established in Malta, has the vehicle registered in its name;

'application' means the application made for a grant under this scheme;

'vehicle registration certificate' means the vehicle registration certificate issued by Transport Malta in accordance with the Motor Vehicle Registration and Licensing Act (Cap 368), providing proof of registration of the motor vehicle and in whose name the vehicle is registered.

'certificate of retrofitting' means the certificate issued by a competent person after the carrying out of the retrofitting of a DPF device and an SCR system on a heavy-duty motor vehicle;

'DPF' means diesel particulate filter;

'$NO_x$ emissions' means emissions of nitrogen oxides;

'grant' means the grant being given under this scheme to an applicant who satisfies the requirements of section 4;

'undertakings in the fishery and aquaculture sector' means undertakings active in the production, processing and marketing of fishery and aquaculture products;

'impriża stabbilita f'Malta' tfisser kull kumpanija kummerċjali inklużi sħubijiet reġistrati f'Malta mal-Awtorità għas-Servizzi Finanzjarji ta' Malta, jew persuna li taħdem għal rasha skont il-Liġi Nazzjonali, jew soċjetà kooperattiva;

'Impriża waħda' tinkludi, għall-finijiet ta' din l-iskema, l-intrapriżi kollha li għandhom mill-inqas waħda mir-relazzjonijiet li ġejjin bejniethom:

a) impriża waħda għandha l-maġġoranza tad-drittijiet tal-vot tal-azzjonisti jew tal-membri f'impriża oħra;

b) impriża waħda għandha d-dritt li taħtar jew tneħħi maġġoranza tal-membri tal-korp amministrattiv, maniġerjali jew superviżorju ta' impriża oħra;

c) impriża waħda għandha d-dritt li teżerċita influwenza dominanti fuq impriża oħra skont kuntratt li jkun sar ma' dik l-impriża jew għal dispożizzjoni fil-memorandum jew l-artikoli ta' assoċjazzjoni tagħha;

d) impriża waħda, li hija azzjonista jew membru ta' impriża oħra, tikkontrolla waħedha, skont ftehim ma' azzjonisti oħra jew membri ta' dik l-impriża, maġġoranza tad-drittijiet tal-vot tal-azzjonisti jew tal-membri f'dik l-impriża.

Intrapriżi li għandhom xi waħda mir-relazzjonijiet imsemmija fil-punti (a) sa (d) hawn fuq permezz ta' impriża waħda jew aktar għandhom jitqiesu wkoll bħala impriża waħda.

'Malta' tfisser il-gżejjer ta' Malta;

'persuna kompetenti' tfisser il-persuna li hija approvata biex tinstalla apparati tad-DPF u sistemi tal-SCR mill-manifatturi tal-istess apparati u sistemi.

'prodotti agrikoli' tfisser prodotti elenkati fl-Anness I tat-Trattat, bl-eċċezzjoni tal-prodotti tas-sajd u l-akkwakultura koperti bir-Regolament tal-Kunsill (KE) Nru 104/2000 tas-17 ta' Diċembru 1999 dwar l-organizzazzjoni komuni tas-swieq fil-prodotti tas-sajd u l-akkwakultura (ĠU L 17, 21.1.2000, p. 22).

'prodotti tas-sajd u tal-akkwakultura' tfisser il-prodotti definiti flArtikolu 5(a) u (b) tar-Regolament (UE) Nru 1379/2013;

'SCR' tfisser tnaqqis katalitiku selettiv;

'sid reġistrat' tfisser il-persuna li f'isimha tkun reġistrata vettura bil-mutur minn Transport Malta;

'undertaking established in Malta' means any commercial company including partnerships registered in Malta with the Malta Financial Services Authority, or a self-employed person in accordance with National Law, or a cooperative society;

'Single undertaking' includes, for the purposes of this scheme, all enterprises having at least one of the following relationships with each other:

a) one enterprise has a majority of the shareholders' or members' voting rights in another enterprise;

b) one enterprise has the right to appoint or remove a majority of the members of the administrative, management or supervisory body of another enterprise;

c) one enterprise has the right to exercise a dominant influence over another enterprise pursuant to a contract entered with that enterprise or to a provision in its memorandum or articles of association;

d) one enterprise, which is a shareholder in or member of another enterprise, controls alone, pursuant to an agreement with other shareholders in or members of that enterprise, a majority of shareholders' or members' voting rights in that enterprise.

Enterprises having any of the relationships referred to in points (a) to (d) above through one or more other enterprises shall also be considered to be a single undertaking.

'Malta' means the islands of Malta;

'competent person' means the person who is approved to install DPF devices and SCR systems by the manufacturers of the same devices and systems.

'DPF device' means a device that physically captures particle emissions through a combination of filtration mechanisms, such as diffusional deposition, inertial deposition, or flow-line interception. Collected particulates are removed from the filter, continuously or periodically, through thermal regeneration;

'fishery and aquaculture products' means the products defined in Article 5 (a) and (b) of Regulation (EU) No 1379/2013;

'SCR' means selective catalytic reduction;

'registered owner' means the person in whose name a motor vehicle is registered by Transport Malta;

'Sistema tal-SCR' tfisser sistema li tnaqqas il-livell ta' ossidu tan-nitroġenu fil-gass tal-egżost mill-magna permezz ta' elementi ta' katalizzatur u aġent li jnaqqas. Fil-proċess aġent li jnaqqas ta' soluzzjoni ta' ilma tal-urea huwa miżjud mal-fluss tal-gass tal-egżost. L-ilma fis-soluzzjoni tal-urea jiġi evaporat hekk kif is-soluzzjoni tiġi injettata fil-gass tal-egżost sħun. It-temperatura għolja tinduċi wkoll dekompożizzjoni termali tal-urea ($(NH_2)_2CO$) f'ammonja ($NH_3$) u dijossidu tal-karbonju ($CO_2$). L-emissjonijiet tal-$NO_x$ tal-gass tal-egżost huma mbagħad trasformati f'nitroġenu molekulari ($N_2$) u ilma ($H_2O$), hekk kif jirreaġixxu mal-ammonja f'wiċċ katalitiku;

'SCR system' means a system that reduces the level of nitrogen oxide in the exhaust gas from the engine by means of catalyst elements and a reducing agent. In the process a reducing agent of a urea water solution is added to the exhaust gas stream. The water in the urea solution is evaporated as the solution is injected into the hot exhaust gas. The high temperature also induces thermal decomposition of the urea ($(NH_2)_2CO$) into ammonia ($NH_3$) and carbon dioxide ($CO_2$). Exhaust gas $NO_x$ emissions are thereafter transformed into molecular nitrogen ($N_2$) and water ($H_2O$), as they react with the ammonia at a catalytic surface;

'Transport Malta' tfisser l-Awtorità għat-Trasport f'Malta mwaqqfa taħt id-dispożizzjonijiet tal-Att dwar l-Awtorità għat-Trasport f'Malta (Kap. 499);

'Transport Malta' means the Authority for Transport in Malta set up under the provisions of the Authority for Transport in Malta Act (Cap. 499);

'vettura bil-mutur *heavy-duty*' tfisser, għall-fini ta' din l-iskema, vettura bil-mutur mħaddma b'magna diżil u li għandha massa massima permissibbli li taqbeż it-tlett elef u ħames mitt kilogrammi (3,500kg);

'heavy-duty motor vehicle' means, for the purpose of this grant, a motor vehicle which is powered by a compression-ignition (diesel) engine and which has a maximum permissible mass exceeding three thousand five hundred kilograms (3,500kg);

**2. Għal min tapplika l-Iskema**

L-iskema tapplika għal impriża stabbilita f'Malta, li twettaq attività ekonomika fis-sens tal-Artikolu 107 TFUE. L-assistenza se tingħata f'konformità ma' wieħed mir-Regolamenti de minimis li ġejjin (kif aktar dettaljat fit-Taqsima 5 hawn taħt):

**2. Area of applicability**

The scheme applies an undertaking established in Malta that carries out an economic activity within the meaning of Article 107 TFEU. Assistance will be provided in line with one of the following de minimis Regulations (as further detailed in Section 5 below):

(a) Għal impriżi li huma attivi fil-produzzjoni primarja tal-prodotti agrikoli: Regolament tal-Kummissjoni (UE) Nru 1408/2013 tat-18 ta' Diċembru 2013 dwar l-applikazzjoni tal-Artikoli 107 u 108 tat-Trattat dwar il-Funzjonament tal-Unjoni Ewropea għall-għajnuna de minimis fis-settur tal-agrikoltura (ĠU L 352/9, 24.12.2013), kif emendat mir-Regolament tal-Kummissjoni (UE) 2019/316 tal-21 ta' Frar 2019 li jemenda r-Regolament tal-Kummissjoni (UE) Nru 1408/2013 dwar l-applikazzjoni tal-Artikoli 107 u 108 tat-Trattat dwar il-Funzjonament tal-Unjoni Ewropea għall-għajnuna de minimis fis-settur tal-agrikoltura (ĠU L 51 I/1, 22.2.2019);

(a) For undertakings that are active in the primary production of agricultural products: Commission Regulation (EU) No. 1408/2013 of 18 December 2013 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to de minimis aid in the agriculture sector (OJ L 352/9, 24.12.2013), as amended by Commission Regulation (EU) 2019/316 of 21 February 2019 amending Regulation (EU) No 1408/2013 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to de minimis aid in the agriculture sector (OJ 51 I/1, 22.2.2019);

(b) Għal impriżi li huma attivi fis-settur tas-sajd u tal-akkwakultura: Regolament tal-Kummissjoni (UE) Nru 717/2014 tas-27 ta' Ġunju 2014 dwar l-applikazzjoni tal-Artikoli 107 u 108 tat-Trattat dwar il-Funzjonament tal-Unjoni Ewropea għall-għajnuna de minimis fis-settur tas-sajd u tal-akkwakultura (ĠU L 190/45, 28.6.2014), kif emendat mir-Regolament Tal-Kummissjoni (UE) 2020/2008 tat-8 ta' Diċembru 2020 li jemenda r-Regolamenti (UE) Nru 702/2014, (UE) Nru 717/2014 u (UE) Nru 1388/2014, fir-rigward tal-perjodu ta' applikazzjoni tagħhom u aġġustamenti rilevanti oħra (ĠU L 414/15, 9.12.2020);

(b) For undertakings that are active in the fishery and aquaculture sector: Commission Regulation (EU) No. 717/2014 of 27 June 2014 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to de minimis aid in the fishery and aquaculture sector (OJ L 190/45, 28.6.2014), as amended by Commission Regulation (EU) 2020/2008 of 8 December 2020 amending Regulations (EU) No 702/2014, (EU) No 717/2014 and (EU) No 1388/2014, as regards their period of application and other relevant adjustments (OJ L 414/15, 9.12.2020);

(c) Għal impriżi li huma attivi fis-setturi l-oħra kollha: Regolament tal-Kummissjoni (UE) Nru 1407/2013 tat-18 ta' Diċembru 2013 dwar l-applikazzjoni tal-Artikoli 107 u 108 tat-Trattat dwar il-Funzjonament tal-Unjoni Ewropea għall-għajnuna de minimis (ĠU L 352/1, 24.12.2013), kif emendat mir- Regolament tal-Kummissjoni (UE) 2020/972 tat-2 ta' Lulju 2020 li jemenda r-Regolament (UE) Nru 1407/2013 fir-rigward tal-estensjoni tiegħu u li jemenda r-Regolament (UE) Nru 651/2014 fir-rigward tal-estensjoni tiegħu u l-aġġustamenti rilevanti (ĠU L 215/3, 7.7.2020).

L-applikant irid jkun is-sid reġistrat ta' vettura *heavy-duty* li:

(a) tkun reġistrata ma', u liċenzjata minn, Transport Malta f'isem l-applikant fid-data tat-tagħmir u fid-data tas-sottomissjoni tal-applikazzjoni għall-għotja;

(b) tkun ġiet mgħammra b'apparat tad-DPF u sistema tal-SCR approvata minn awtorità tal-approvazzjoni tat-tip ta' kwalunkwe Stat Membru tal-Unjoni Ewropea;

(c) tkun ġiet mgħammra b'apparat tad-DPF u sistema tal-SCR minn persuna kompetenti; u

(d) kellha l-emissjonijiet tal-$NO_x$ mill-pajp tal-egżost tagħha mnaqqsa sostanzjalment bħala riżultat tat-tagħmir tal-apparat tad-DPF u s-sistema tal-SCR.

**3. Kif għandha ssir l-applikazzjoni u d-dokumenti li għandhom jiġu ppreżentati**

(i) Applikazzjoni għal għotja taħt din l-iskema għandha ssir mis-sid reġistrat wara t-tagħmir tal-vettura bil-mutur b'apparat tad-DPF u sistema tal-SCR minn persuna kompetenti. Il-formola tal-applikazzjoni VEH052 – li tista' titniżżel mill-websajt ta' Transport Malta jew tinġabar mill-uffiċċji ta' Transport Malta Raħal Ġdid, jew Ħal Lija, jew Għawdex - għandha tintuża għal dan il-għan.

(ii) L-applikazzjonijiet għandhom jiġu ffirmati u ttimbrati mill-persuna kompetenti u għandhom ikunu akkumpanjati mid-dokumenti u l-ħlas li ġejjin:

(a) kopji taċ-ċertifikati ta' approvazzjoni tat-tip għall-apparat tad-DPF u s-sistema tal-SCR li ġew installati, maħruġin minn Awtorità tal-Approvazzjoni tat-Tip ta' kwalunkwe Stat Membru tal-Unjoni Ewropea f'isem il-manifatturi tal-apparat tad-DPF u s-sistema tal-SCR;

(b) Kopja tal-istruzzjonijiet tal-installazzjoni ppubblikati mill-manifatturi tal-apparat tad-DPF u s-sistema tal-SCR;

(c) dikjarazzjonijiet mill-manifatturi rispettivi tad-DPF u s-sistematal-SCR li jirrikonoxxu lil persuna li jkun għammar il-vettura bħala persuna kompetenti;

(c) For undertakings that are active in all other sectors: Commission Regulation (EU) No. 1407/2013 of 18 December 2013 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to de minimis aid (OJ L 352/1, 24.12.2013), as amended by Commission Regulation (EU) 2020/972 of 2 July 2020, amending Regulation (EU) No 1407/2013 as regards it prolongation and amending Regulation (EU) No 651/2014 as regards its prolongation and relevant adjustments (OJ L 215/3, 7.7.2020).

The applicant must be the registered owner of a heavy-duty vehicle which:

(a) is registered with, and licensed by, Transport Malta in the name of the applicant on the date of retrofitting and on the date of submission of application for the grant;

(b) has been retrofitted with a DPF device and an SCR system approved by a type-approval authority of any European Union Member State;

(c) has been retrofitted with a DPF device and an SCR system by a competent person; and

(d) had its $NO_x$ tailpipe emissions substantially reduced as a result of the retrofitting of the DPF device and the SCR system.

**3. Manner of application and supporting documents**

(i) An application for a grant under this scheme shall be made by the registered owner following the retrofitting of the motor vehicle with a DPF device and an SCR system by a competent person. Application form VEH052 – which may be downloaded from the website of Transport Malta or collected from Transport Malta's offices in Paola, or Ħal Lija, or Gozo - shall be used for this purpose.

(ii) Applications shall be signed and stamped by the competent person and shall be accompanied by the following documents and payment:

(a) copies of the type approval certificates for the installed DPF device and SCR system issued by a Type-Approval Authority of any European Union Member State on behalf of the manufacturers of the DPF device and the SCR system;

(b) A copy of the installation instructions published by the manufacturers of the DPF device and the SCR system;

(c) declarations by the respective manufacturers of the DPF and SCR System recognising the person who retrofitted the vehicle as a competent person;

(d) kopja taċ-ċertifikat ta' tagħmir maħruġ mill-persuna kompetenti;

(e) iċ-ċertifikat ta' reġistrazzjoni oriġinali tal-vettura (logbook);

(f) riżultat tat-test tal-emissjonijiet tal-vettura maħruġ qabel l-installazzjoni tal-apparat tad-DPF u s-sistema tal-SCR (test tal-emissjonijiet ta' qabel l-installazzjoni);

(g) riżultat tat-test tal-emissjonijiet tal-vettura maħruġ wara l-installazzjoni tal-apparat tad-DPF u s-sistema tal-SCR (test tal-emissjonijiet ta' wara l-installazzjoni);

(h) dritt amministrattiv ta' għaxar Euro (€10), pagabbli lil Transport Malta, għall-ħruġ mill-ġdid taċ-ċertifikat ta' reġistrazzjoni tal-vettura.

(iii) L-applikazzjonijiet jiġu aċċettati biss jekk il-valur tal-emissjonijiet tal-$NO_x$ fit-test tal-emissjonijiet ta' wara l-installazzjoni jkun ferm aktar baxx mill-valur tal-emissjonijiet tal-$NO_x$ fit-test tal-emissjonijiet ta' qabel l-installazzjoni;

(iv) L-applikazzjonijiet taħt din l-iskema, flimkien mad-dokumenti rilevanti kollha, għandhom jiġu sottomessi mill-applikant lil Transport Malta, Driver and Vehicle Licensing Unit (DVLU), A3 Towers, Arcade Street, Raħal Ġdid, bejn is-07:30 u s-13:00 waqt ġranet tax-xogħol, jew mibgħuta fl-istess indirizz.

**4. Eliġibilità**

(i) Biex ikun eliġibbli, applikant għandu jikkonforma mat-Taqsima 2.

(ii) Biex tikkwalifika, il-vettura bil-mutur:

(a) għandha tkun reġistrata f'isem l-applikant fid-data tal-installar u d-data tas-sottomissjoni tal-applikazzjoni għall-għotja;

(b) għandha tkun vettura bil-mutur *heavy-duty*;

(c) għandha tiġi mgħammra b'apparat tad-DPF u sistema tal-SCR minn persuna kompetenti;

(d) għandha jkollha stiker tas-sigurtà approvata minn Transport Malta mwaħħla fuq in-naħa tax-xellug tal-windscreen tal-vettura biex tikkonferma li l-vettura kienet installata b'apparat tad-DPF u sistema tal-SCR. L-istiker tas-sigurtà għandha tiġi pprovduta mill-persuna kompetenti.

(iii) Transport Malta tirriżerva d-dritt li tispezzjona vetturi wara t-tagħmir tal-apparat tad-DPF u s-sistema tal-SCR u qabel l-approvazzjoni tal-għotja relatata. Tali spezzjoni għandha tiffoka fuq is-sikurezza tal-installazzjoni

(d) a copy of the certificate of retrofitting issued by the competent person;

(e) the original vehicle's registration certificate (logbook);

(f) a VRT emissions test result issued before the retrofitting of the DPF device and the SCR system (pre-installation emissions test);

(g) a VRT emissions test result issued after the retrofitting of the DPF device and the SCR system (post-installation emissions test);

(h) an administrative fee of ten Euro (€10), payable to Transport Malta, for the issue of a new vehicle registration certificate.

(iii) Applications will be accepted only if the $NO_x$ emission value in the post-installation emissions test is markedly lower than the $NO_x$ emission value in the pre-installation emissions test;

(iv) Applications under this scheme, together with all the relevant documents, shall be submitted by the applicant to Transport Malta, Driver and Vehicle Licensing Unit (DVLU), A3 Towers, Arcade Street, Paola, between 07:30 and 13:00 during working days, or mailed to the same address.

**4. Eligibility**

(i) To be eligible, an applicant shall conform with Section 2.

(ii) To qualify, the motor vehicle:

(a) shall be registered in the applicant's name on the date of retrofitting and date of submission of application for the grant;

(b) shall be a heavy-duty motor vehicle;

(c) shall be retrofitted with a DPF device and an SCR system by a competent person;

(d) shall have a security sticker approved by Transport Malta affixed on the left-hand side of the vehicle's windscreen to confirm that the vehicle was installed with a DPF device and an SCR system. The security sticker shall be provided by the competent person.

(iii) Transport Malta reserves the right to inspect vehicles following the retrofitting of the DPF device and the SCR system and prior to the approval of the related grant. Such inspection shall focus on the safety of the installation and its

u l-impatt tagħha fuq is-sikurezza ġenerali u l-funzjoni tal-vettura kkonċernata.

(iv) Applikant ikun intitolat għal sa żewġ (2) għotjiet taħt din l-iskema, u għalhekk għal mhux aktar minn għoxrin elf Ewro (€20,000).

**5. Ħlas tal-għotja**

Fejn applikant jikkwalifika għall-għotja, l-għotja għandha titħallas direttament lill-applikant. L-għotja mogħtija m'għandhiex tiġi assessjata bħala dħul għall-finijiet tat-taxxa fuq id-dħul.

Il-ħlas għandu jsir biss jekk l-impriża l-għajnuna totali *de minimis* mogħtija lil xi impriża waħda ma taqbiżx il-limiti stabbiliti fir-Regolament De Minimis applikabbli kif deskritt fit-Taqsima 2 hawn fuq.

Skont l-attività tal-applikant, il-limiti de minimis huma kif ġej:

(a) Għal impriżi li huma attivi fil-produzzjoni primarja tal-prodotti agrikoli, l-ammont totali ta' għajnuna de minimis mogħtija lil xi impriża waħda m'għandux ikun iktar minn €20,000 fuq kwalunkwe perjodu ta' tliet snin fiskali;

(b) Għal impriżi li huma attivi fis-settur tas-sajd u tal-akkwakultura, l-ammont totali ta' għajnuna de minimis mogħtija lil xi impriża waħda m'għandux ikun iktar minn €30,000 fuq kwalunkwe perjodu ta' tliet snin fiskali;

(c) Għal impriżi li huma attivi fis-setturi l-oħra kollha, l-ammont totali ta' għajnuna de minimis mogħtija lil xi impriża waħda m'għandux ikun iktar minn €200,000 (jew €100,000 fil-każ ta' xi impriża waħda li twettaq trasport tal-merkanzija bit-triq b'kiri jew bi ħlas) fuq kwalunkwe perijodu ta' tliet snin fiskali.

Dan il-limitu massimu jkun jinkludi l-għajnuna mill-Istat kollha mogħtija taħt din l-iskema ta' għajnuna u kull miżura oħra ta' għajnuna mill-Istat mogħtija taħt ir-regola de minimis inkluż dik li tirċievi minn kwalunkwe entità għajr Transport Malta fuq perjodu ta' tliet snin fiskali. Kwalunkwe għajnuna de minimis riċevuta li taqbeż il-limitu applikabbli stabbilit se jkollha tiġi rkuprata, bl-imgħax, mill-impriża li tirċievi l-għajnuna.

L-applikanti kollha għandhom jimlew u jissottomettu, flimkien mal-formola tal-applikazzjoni, formola ta' dikjarazzjoni de minimis iffirmata li tindika kwalunkwe għajnuna de minimis riċevuta matul is-sena fiskali kurrenti u s-sentejn fiskali preċedenti.

**6. Validità tal-applikazzjoni**

Applikazzjoni m'għandhiex titqies li ġiet sottomessa mill-applikant sakemm ma tkunx mimlija b'mod sħiħ u

impact on the overall safety and function of the concerned vehicle.

(iv) An applicant shall be entitled for up to two (2) grants under this scheme, and therefore for not more than twenty thousand Euro (€20,000).

**5. Payment of Grant**

Where an applicant qualifies for the grant, the grant shall be paid directly to the applicant. The grant given shall not be assessed as income for income tax purposes.

Payment shall be affected only if the total amount of *de minimis* aid granted to a single undertaking does not exceed the thresholds established in the applicable De Minimis Regulation as outlined in Section 2 above.

Depending on the applicant's activity, the de minimis thresholds are as follows:

a) For undertakings active in the primary production of agricultural products, the total amount of de minimis aid granted to a single undertaking shall not exceed €20,000 over any period of three fiscal years;

b) For undertakings active in the fishery and aquaculture sector, the total amount of de minimis aid granted to a single undertaking shall not exceed €30,000 over any period of three fiscal years;

c) For all other undertakings, the total amount of de minimis aid shall not exceed €200,000 per single undertaking (or €100,000 in the case of single undertakings performing road freight transport for hire or reward) over any period of three fiscal years.

This maximum threshold would include all State aid granted under this aid scheme and any other State aid measure granted under the de minimis rule including that received from any entity other than Transport Malta over a period of three fiscal years. Any de minimis aid received in excess of the established applicable threshold will have to be recovered, with interest, from the undertaking receiving the aid.

All applicants are to fill in and submit, together with the application form, a signed de minimis declaration form indicating any de minimis aid received during the current fiscal year and the previous two fiscal years.

**6. Validity of application**

An application shall not be deemed to have been submitted by the applicant unless it is completed in full

tkun akkumpanjata mid-dokumenti rilevanti kollha. Jekk l-applikazzjoni ma timtelax b'mod korrett u d-dokumenti rilevanti ma jkunux inklużi, it-talba għall-għotja m'għandhiex tiġi pproċessata sakemm tiġi pprovduta l-informazzjoni nieqsa. Transport Malta għandha tikteb lill-applikant billi tavżah dwar l-informazzjoni meħtieġa.

**7. Rifużjoni tal-għotja jekk it-tagħmir jitneħħa jew jiġi diżattivat**

Applikant li jirċievi għotja taħt din l-iskema tkun obbligata li tirrifondi dik l-għotja lill-Awtorità jekk f'perjodu ta' mill-inqas sitta u tletin (36) xahar mid-data tal-approvazzjoni tal-għotja:

(a) is-sid ta' vettura li fuqha jkunu ġew installati apparat tad-DPF u sistema tal-SCR jagħmel talba lil Transport Malta biex jitneħħa l-apparat tad-DPF u/jew is-sistema tal-SCR; jew

(b) ikun ippruvat li l-apparat jew is-sistema jew tneħħew, jew ġew imbagħbsa, jew ġew iddiżattivati b'xi mod, jew ma jkunux qed jintużaw kif suppost; jew

(c) l-istiker tas-sigurtà tkun tneħħiet.

**8. Tul tal-iskema**

Din l-iskema għandha tibqa' fis-seħħ sal-31 ta' Diċembru 2022, sakemm ma tiġix modifikata jew terminata minn qabel b'Avviż fil-Gazzetta tal-Gvern. L-għotjiet taħt din l-iskema għandhom ikunu limitati għal għaxar (10) applikazzjonijiet. Dawn l-għotjiet għandhom jitqiesu bħala mitmuma meta jintlaħaq il-baġit allokat. Minkejja dan, il-Gvern jista' jtemm l-iskema fi kwalunkwe ħin billi jagħti avviż minn qabel.

L-iskema tista' tiġġedded kif jitqies meħtieġ mill-Ministru għat-Trasport, Infrastruttura u Proġetti Kapitali permezz ta' Avviż fil-Gazzetta tal-Gvern.

**9. Emendi għall-iskema**

Il-Ministru għat-Trasport, Infrastruttura u Proġetti Kapitali jista' jagħmel xi emendi għal din l-iskema permezz ta' Avviż fil-Gazzetta tal-Gvern.

**10. Talbiet b'qerq**

Fejn jinstab illi talba saret b'qerq, Transport Malta tista' tibda proċeduri kriminali kontra dawk responsabbli. F'każ ta' ħlas ħażin ta' talba, Transport Malta tirriżerva d-dritt li tirkupra fondi mħallsa bi żball.

Il-5 ta' Lulju, 2022

and is accompanied by all the relevant documents. If the application is not completed correctly and the relevant documents are not included, the claim for the grant shall not be processed until the missing information is provided. Transport Malta shall write to the applicant advising him about the information required.

**7. Refund of grant if the retrofitting is removed or disabled**

An applicant that receives a grant under this scheme shall be obliged to refund such grant to the Authority if within a period of at least thirty-six (36) months from the date of the grant's approval:

a) the owner of a vehicle on which a DPF device and an SCR system had been retrofitted makes a request to Transport Malta to have the DPF device and/or the SCR system removed; or

b) it is proven that the device or the system was either removed, tampered with or disabled in any way, or was not being used appropriately; or

c) the security sticker has been removed.

**8. Duration of scheme**

This scheme shall remain in force until the 31st December 2022, unless modified or terminated beforehand by a Notice in the Government Gazette. The grants under this scheme shall be capped to 10 (10) applications. These grants shall be considered as terminated when the allocated budget has been exhausted. Notwithstanding, Government may terminate the scheme at any time by giving prior notice.

The scheme may be renewed as deemed necessary by the Minister for Transport, Infrastructure and Capital Projects by a Notice in the Government Gazette.

**9. Amendments to the scheme**

The Minister for Transport, Infrastructure and Capital Projects may make any amendments to this scheme by a Notice in the Government Gazette.

**10. Fraudulent claims**

Where a fraudulent claim arises, Transport Malta may institute criminal proceedings against those responsible. In the event of an incorrect payment of a claim, Transport Malta reserves the right to recover funds paid in error.

5th July, 2022

**Nru. 807**

## MINISTERU GĦAT-TRASPORT, INFRASTRUTTURA U PROĠETTI KAPITALI

### Skema tal-Gvern biex Tippromwovi t-Tagħmir ta' Sistemi ta' Propulsjoni Elettrika tal-Batteriji Approvati fuq Vetturi bil-Mutur

IL-MINISTERU għat-Trasport, Infrastruttura u Proġetti Kapitali flimkien mal-Awtorità għat-Trasport f'Malta, qed iniedu skema ta' għotjiet biex jinċentivaw lis-sidien ta' vetturi li jaħdmu bil-petrol jew bid-diesel biex jeliminaw l-emissjonijiet tal-pajp tal-egżost tal-vetturi bil-mutur tagħhom permezz tat-tagħmir ta' sistemi ta' propulsjoni elettrika tal-batteriji. Din hija miżura oħra tal-baġit favur l-ambjent immirata biex tkompli tnaqqas l-emissjonijiet mit-traffiku fit-toroq.

Suġġett għall-kundizzjonijiet stipulati f'dan id-dokument għandu jinħareġ ammont ta' għotja ugwali għal 80% tal-ispejjeż tal-investiment meħtieġa għat-tagħmir ta' sistemi ta' propulsjoni elettrika tal-batteriji lis-sidien reġistrati. Madankollu, l-ammont tal-għotja m'għandux jaqbeż l-għoxrin elf Ewro (€20,000) fil-każ ta' vetturi tal-Kategoriji M1 u N1, erbgħin elf Ewro (€40,000) fil-każ ta' vetturi tal-Kategoriji M2 u N2, u tmenin elf Ewro (€80,000) fil-każ ta' vetturi tal-Kategoriji M3, N3 u SP1.

L-iskema tidħol fis-seħħ fl-1 ta' Jannar 2022 u tagħlaq fil-31 ta' Diċembru 2022, jew sakemm il-baġit allokat ta' mija u għoxrin elf Ewro (€120,000) jiġi eżawrit.

L-għotjiet f'din l-iskema għandhom jiġu assenjati fuq bażi ta' min jiġi l-ewwel jinqeda l-ewwel.

**L-ISKEMA**

**1. Interpretazzjoni**

Għall-finijiet tal-iskema, sakemm il-kuntest ma jeħtieġx mod ieħor:

'applikant' tfisser il-persuna jew impriża stabbilita f'Malta li tapplika għall-għotja taħt din l-iskema u li għandha l-vettura reġistrata f'isimha;

'applikazzjoni' tfisser l-applikazzjoni magħmula għal għotja taħt din l-iskema;

'ċertifikat ta' reġistrazzjoni tal-vettura' tfisser iċ-ċertifikat ta' reġistrazzjoni tal-vettura maħruġ minn Transport Malta skont l-Att dwar ir-Reġistrazzjoni u l-Liċenzjar ta' Vetturi bil-Mutur (Kap. 368), li jipprovdi prova tar-reġistrazzjoni tal-vettura bil-mutur u li f'isimha tkun reġistrata l-vettura;

**No. 807**

## MINISTRY FOR TRANSPORT, INFRASTRUCTURE AND CAPITAL PROJECTS

### Government Scheme to Promote the Retrofitting of Approved Battery Electric Powertrains on Motor Vehicles

THE Ministry for Transport, Infrastructure and Capital Projects in conjunction with the Authority for Transport in Malta, is launching a grant scheme to incentivise owners of diesel or petrol motor vehicles to eliminate tailpipe emissions from their motor vehicles through the retrofitting of battery electric powertrains. This is another environment-friendly budget measure aimed at further reducing emissions from road traffic.

Subject to the conditions stipulated in this document a grant amount equal to 80% of the investment costs required for the retrofitting of battery electric powertrains shall be issued to the registered owners. However, the grant amount shall not exceed twenty thousand Euro (€20,000) in the case of Category M1 and N1 vehicles, forty thousand Euro (€40,000) in the case of Category M2 and N2 vehicles and eighty thousand Euro (€80,000) in the case of Category M3, N3 and SP1 vehicles.

The scheme comes into effect on the 1st of January 2022 and closes on the 31st of December 2022, or until the allocated budget of one hundred and twenty thousand Euro (€120,000) is exhausted.

The grants in this scheme shall be assigned on a first-come-first-served basis.

**THE SCHEME**

**1. Interpretation**

For the purposes of the scheme, unless the context otherwise requires:

'applicant' means the person or undertaking established in Malta applying for the grant under this scheme and has the vehicle registered in his/its name;

'application' means the application made for a grant under this scheme;

'vehicle registration certificate' means the vehicle registration certificate issued by Transport Malta in accordance with the Motor Vehicle Registration and Licensing Act (Cap. 368) providing proof of registration of the motor vehicle and in whose name the vehicle is registered.

'ċertifikat ta' tagħmir' tfisser iċ-ċertifikat maħruġ minn persuna kompetenti wara li jkun installa s-sistema ta' propulsjoni elettrika tal-batteriji fuq vettura bil-mutur;

'għotja' tfisser l-għotja li qed tingħata taħt din l-iskema lil applikant li jissodisfa r-rekwiżiti tat-taqsima 4;

'impriża stabbilita f'Malta' tfisser kull kumpanija kummerċjali inklużi sħubijiet reġistrati f'Malta mal-Awtorità għas-Servizzi Finanzjarji ta' Malta, jew persuna li taħdem għal rasha skont il-Liġi Nazzjonali, jew soċjetà kooperattiva;

'impriża waħda' tinkludi, għall-finijiet ta' din l-iskema, l-intrapriżi kollha li għandhom mill-inqas waħda mir-relazzjonijiet li ġejjin bejniethom:

a) impriża waħda għandha l-maġġoranza tad-drittijiet tal-vot tal-azzjonisti jew tal-membri f'impriża oħra;

b) impriża waħda għandha d-dritt li taħtar jew tneħħi maġġoranza tal-membri tal-korp amministrattiv, maniġerjali jew superviżorju ta' impriża oħra;

c) impriża waħda għandha d-dritt li teżerċita influwenza dominanti fuq impriża oħra skont kuntratt li jkun sar ma' dik l-impriża jew għal dispożizzjoni fil-memorandum jew l-artikoli ta' assoċjazzjoni tagħha;

d) impriża waħda, li hija azzjonista jew membru ta' impriża oħra, tikkontrolla waħedha, skont ftehim ma' azzjonisti oħra jew membri ta' dik l-impriża, maġġoranza tad-drittijiet tal-vot tal-azzjonisti jew tal-membri f'dik l-impriża.

Intrapriżi li għandhom xi waħda mir-relazzjonijiet imsemmija fil-punti (a) sa (d) hawn fuq permezz ta' impriża waħda jew aktar għandhom jitqiesu wkoll bħala impriża waħda;

'impriżi fis-settur tas-sajd u tal-akkwakultura' tfisser impriżi attivi fil-produzzjoni, l-ipproċessar u l-kummerċjalizzazzjoni ta' prodotti tas-sajd u tal-akkwakultura;

'Malta' tfisser il-gżejjer ta' Malta;

'persuna' tfisser persuna fiżika;

'persuna kompetenti' tfisser persuna li hija awtorizzata minn inġinier mekkaniku bil-*warrant* u inġinier elettriku bil-*warrant* biex tinstalla sistemi ta' propoulsjoni elettrika tal-batteriji fuq vetturi bil-mutur;

'prodotti agrikoli' tfisser prodotti elenkati fl-Anness I tat-Trattat, bl-eċċezzjoni tal-prodotti tas-sajd u l-akkwakultura koperti bir-Regolament tal-Kunsill (KE) Nru 104/2000

'certificate of retrofitting' means the certificate issued by a competent person after carrying out the retrofitting of a battery electric powertrain on a motor vehicle;

'grant' means the grant being given under this scheme to an applicant who satisfies the requirements of section 4;

'undertaking established in Malta' means any commercial company including partnerships registered in Malta with the Malta Financial Services Authority, or a self-employed person in accordance with National Law, or a cooperative society;

'single undertaking' includes, for the purposes of this scheme, all enterprises having at least one of the following relationships with each other:

a) one enterprise has a majority of the shareholders' or members' voting rights in another enterprise;

b) one enterprise has the right to appoint or remove a majority of the members of the administrative, management or supervisory body of another enterprise;

c) one enterprise has the right to exercise a dominant influence over another enterprise pursuant to a contract entered with that enterprise or to a provision in its memorandum or articles of association;

d) one enterprise, which is a shareholder in or member of another enterprise, controls alone, pursuant to an agreement with other shareholders in or members of that enterprise, a majority of shareholders' or members' voting rights in that enterprise.

Enterprises having any of the relationships referred to in points (a) to (d) above through one or more other enterprises shall also be considered to be a single undertaking.

'undertakings in the fishery and aquaculture sector' means undertakings active in the production, processing and marketing of fishery and aquaculture products;

'Malta' means the islands of Malta;

'person' means a natural person;

'competent person' means a person who is authorised by a warranted mechanical engineer and a warranted electrical engineer to retrofit a battery electric powertrain on a motor vehicle;

'agricultural products' means products listed in Annex I to the Treaty, with the exception of fishery and aquaculture products covered by Council Regulation (EC) No 104/2000

tas-17 ta' Diċembru 1999 dwar l-organizzazzjoni komuni tas-swieq fil-prodotti tas-sajd u l-akkwakultura (ĠU L 17, 21.1.2000, p. 22).

'prodotti tas-sajd u tal-akkwakultura' tfisser il-prodotti definiti flArtikolu 5(a) u (b) tar-Regolament (UE) Nru 1379/2013;

'sid reġistrat' tfisser il-persuna li f'isimha tkun reġistrata vettura bil-mutur minn Transport Malta;

'sistema ta' propulsjoni elettrika tal-batteriji approvata' tfisser l-assemblaġġ ta' komponenti li jimbuttaw vettura 'l quddiem billi jiġbed l-enerġija elettrika mill-batteriji u jittrażmettiha lill-mutur/i elettriku/ċi, li mbagħad jittrasmetti enerġija rotazzjonali lir-roti fuq l-art, u li hija approvata għal dan il-għan minn Transport Malta skont klawsola 3(i);

'Transport Malta' tfisser l-Awtorità għat-Trasport f'Malta mwaqqfa taħt id-dispożizzjonijiet tal-Att dwar l-Awtorità għat-Trasport f'Malta (Kap. 499);

'Vettura bil-mutur ICE' tfisser vettura bil-mutur li hija mħaddma minn magna tal-kombustjoni interna;

'Vettura tal-Kategorija M1' tfisser vettura bil-mutur użata għall-ġarr ta' passiġġieri, li tinkludi mhux aktar minn tmien (8) sedili minbarra s-sedil tas-sewwieq;

'Vettura tal-Kategorija M2' tfisser vettura bil-mutur użata għall-ġarr ta' persuni li tinkludi aktar minn tmien (8) sedili minbarra s-sedil tas-sewwieq u li għandha massa massima li ma taqbiżx ħames (5) tunnellati;

'Vettura tal-Kategorija M3' tfisser vettura bil-mutur użata għall-ġarr ta' persuni li tinkludi aktar minn tmien (8) sedili minbarra s-sedil tas-sewwieq u li għandha massa massima ta' aktar minn ħames (5) tunnellati;

'Vettura tal-Kategorija N1' tfisser vettura bil-mutur użata għall-ġarr ta' merkanzija u li għandha massa massima li ma taqbiżx it-3.5 tunnellati;

'Vettura tal-Kategorija N2' tfisser vettura bil-mutur użata għall-ġarr ta' merkanzija u li għandha massa massima li taqbeż it-tliet tunnellati u nofs (3.5) iżda mhux aktar minn tnax-il (12) tunnellata;

'Vettura tal-Kategorija N3' tfisser vettura bil-mutur użata għall-ġarr ta' merkanzija u li għandha massa massima ta' aktar minn tnax-il (12) tunnellata;

'Vettura tal-Kategorija SP1' tfisser vettura bi skop speċjali tal-Kategorija N3 li għandha karatteristiċi tekniċi speċifiċi li jippermettulha twettaq funzjoni li teħtieġ arranġamenti jew tagħmir speċjali.

of 17 December 1999 on the common organisation of the markets in fishery and aquaculture products (OJ L 17, 21.1.2000, p. 22);

'fishery and aquaculture products' means the products defined in Article 5 (a) and (b) of Regulation (EU) No 1379/2013;

'registered owner' means the person in whose name a motor vehicle is registered by Transport Malta;

'approved battery electric powertrain' means the assembly of components that pushes a vehicle forward by extracting electrical power from the batteries and transmitting it to the electrical motor/s, which in turn transmits rotational energy to the wheels on the ground, and which is approved for this purpose by Transport Malta pursuant to clause 3(i);

'Transport Malta' means the Authority for Transport in Malta set up under the provisions of the Authority for Transport in Malta Act (Cap. 499);

'ICE motor vehicle' means a motor vehicle that is powered by an internal combustion engine;

'Category M1 vehicle' means a motor vehicle used for carriage of passengers, comprising not more than eight seats in addition to the driver's seat;

'Category M2 vehicle' means a motor vehicle used for the carriage of persons comprising more than eight (8) seats in addition to the driver's seat and having a maximum mass not exceeding five (5) tonnes;

'Category M3 vehicle' means a motor vehicle used for the carriage of persons comprising more than eight (8) seats in addition to the driver's seat and having a maximum mass exceeding five (5) tonnes;

'Category N1 vehicle' means a motor vehicle used for the carriage of goods and having a maximum mass not exceeding 3.5 tonnes;

'Category N2 vehicle' means a motor vehicle used for the carriage of goods and having a maximum mass exceeding three and a half (3.5) tonnes but not exceeding twelve (12) tonnes;

'Category N3 vehicle' means a motor vehicle used for the carriage of goods and having a maximum mass exceeding twelve (12) tonnes;

'Category SP1 vehicle' means a special purpose vehicle of Category N3 having specific technical features that enable it to perform a function that requires special arrangements or equipment;

**2. Għal min tapplika l-Iskema**

2.1 L-iskema tapplika għal kull persuna u impriża stabbilita f'Malta. L-ebda implikazzjoni ta' għajnuna mill-Istat mhi se tinħoloq fil-każ ta' persuni fiżiċi li ma jwettqux attività ekonomika fis-sens tal-Artikolu 107 TFUE. Minnaħa l-oħra, fil-każ ta' impriżi li jwettqu attività ekonomika fit-tifsira tal-Artikolu 107 TFUE, l-assistenza se tingħata f'konformità ma' wieħed mir-Regolamenti *de minimis* li ġejjin (kif aktar dettaljat fit-Taqsima 5 hawn taħt):

(a) Għal impriżi li huma attivi fil-produzzjoni primarja tal-prodotti agrikoli: Regolament tal-Kummissjoni (UE) Nru 1408/2013 tat-18 ta' Diċembru 2013 dwar l-applikazzjoni tal-Artikoli 107 u 108 tat-Trattat dwar il-Funzjonament tal-Unjoni Ewropea għall-għajnuna de minimis fis-settur tal-agrikoltura (ĠU L 352/9, 24.12.2013), kif emendat mir-Regolament tal-Kummissjoni (UE) 2019/316 tal-21 ta' Frar 2019 li jemenda r-Regolament tal-Kummissjoni (UE) Nru 1408/2013 dwar l-applikazzjoni tal-Artikoli 107 u 108 tat-Trattat dwar il-Funzjonament tal-Unjoni Ewropea għall-għajnuna de minimis fis-settur tal-agrikoltura (ĠU L 51 I/1, 22.2.2019);

(b) Għal impriżi li huma attivi fis-settur tas-sajd u tal-akkwakultura: Regolament tal-Kummissjoni (UE) Nru 717/2014 tas-27 ta' Ġunju 2014 dwar l-applikazzjoni tal-Artikoli 107 u 108 tat-Trattat dwar il-Funzjonament tal-Unjoni Ewropea għall-għajnuna de minimis fis-settur tas-sajd u tal-akkwakultura (ĠU L 190/45, 28.6.2014), kif emendat mir-Regolament Tal-Kummissjoni (UE) 2020/2008 tat-8 ta' Diċembru 2020 li jemenda r-Regolamenti (UE) Nru 702/2014, (UE) Nru 717/2014 u (UE) Nru 1388/2014, fir-rigward tal-perjodu ta' applikazzjoni tagħhom u aġġustamenti rilevanti oħra (ĠU L 414/15, 9.12.2020);

(c) Għal impriżi li huma attivi fis-setturi l-oħra kollha: Regolament tal-Kummissjoni (UE) Nru 1407/2013 tat-18 ta' Diċembru 2013 dwar l-applikazzjoni tal-Artikoli 107 u 108 tat-Trattat dwar il-Funzjonament tal-Unjoni Ewropea għall-għajnuna de minimis (ĠU L 352/1, 24.12.2013), kif emendat mir- Regolament tal-Kummissjoni (UE) 2020/972 tat-2 ta' Lulju 2020 li jemenda r-Regolament (UE) Nru 1407/2013 fir-rigward tal-estensjoni tiegħu u li jemenda r-Regolament (UE) Nru 651/2014 fir-rigward tal-estensjoni tiegħu u l-aġġustamenti rilevanti (ĠU L 215/3, 7.7.2020).

2.2 L-applikant irid ikun is-sid reġistrat ta' vettura bil-mutur ICE, li:

(a) tkun reġistrata ma', u liċenzjata minn, Transport Malta f'isem l-applikant fid-data tat-tagħmir u fid-data tas-sottomissjoni tal-applikazzjoni għall-għotja;

**2. Area of applicability**

2.1 The scheme applies to any person and any undertaking established in Malta. No State aid implications will arise in the case of natural persons that do not carry out an economic activity within the meaning of Article 107 TFEU. On the other hand, in the case of eligible undertakings that carry out an economic activity within the meaning of Article 107 TFEU, assistance will be provided in line with one of the following de minimis Regulations (as further detailed in Section 5 below):

(a) For undertakings that are active in the primary production of agricultural products: Commission Regulation (EU) No. 1408/2013 of 18 December 2013 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to de minimis aid in the agriculture sector (OJ L 352/9, 24.12.2013), as amended by Commission Regulation (EU) 2019/316 of 21 February 2019 amending Regulation (EU) No 1408/2013 on the application of Articles 107 and108 of the Treaty on the Functioning of the European Union to de minimis aid in the agriculture sector (OJ 51 I/1, 22.2.2019);

(b) For undertakings that are active in the fishery and aquaculture sector: Commission Regulation (EU) No. 717/2014 of 27 June 2014 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to de minimis aid in the fisheries and aquaculture sector (OJ L 190/45, 28.6.2014), as amended by Commission Regulation (EU) 2020/2008 of 8 December 2020 amending Regulations (EU) No 702/2014, (EU) No 717/2014 and (EU) No 1388/2014, as regards their period of application and other relevant adjustments (OJ L 414/15, 9.12.2020);

(c) For undertakingss that are active in all other sectors: Commission Regulation (EU) No. 1407/2013 of 18 December 2013 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to de minimis aid (OJ L 352/1, 24.12.2013), as amended by Commission Regulation (EU) 2020/972 of 2 July 2020, amending Regulation (EU) No 1407/2013 as regards it prolongation and amending Regulation (EU) No 651/2014 as regards its prolongation and relevant adjustments (OJ L 215/3, 7.7.2020).

2.2 The applicant must be the registered owner of an ICE motor vehicle which:

(a) is registered with, and licensed by, Transport Malta in the name of the applicant on the date of retrofitting and on the date of submission of application for the grant;

(b) tkun ġiet mgħammra b'sistema ta' propulsjoni elettrika tal-batteriji;

(c) tkun ġiet mgħammra b'sistema ta' propulsjoni elettrika tal-batteriji minn persuna kompetenti.

**3. Kif għandha ssir l-applikazzjoni u d-dokumenti li għandhom jiġu ppreżentati**

(i) Persuna jew impriża li tixtieq tinstalla sistema ta' propulsjoni elettrika tal-batteriji fuq vettura bil-mutur għandha tippreżenta lil Transport Malta proposta teknika dettaljata mħejjija u ffirmata minn inġinier mekkaniku bil-*warrant* u inġinier elettriku bil-*warrant*, liema proposta għandha tinkludi l-informazzjoni li ġejja:

a. dettalji sħaħ tal-vettura u s-sistema ta' propulsjoni oriġinali ICE;

b. dettalji sħaħ tal-mutur, batterija, katina ta' trazzjoni elettrika u s-sistema ta' vultaġġ għoli konnessa galvanikament, u kwalunkwe komponenti relatati u/jew konnessi;

c. dettalji sħaħ tal-metodoloġija tal-installazzjoni skont id-Direttivi rilevanti tal-UE u r-Regolamenti tal-UNECE (inklużi d-Direttiva EMC u ECE R100.01 fejn applikabbli), u appoġġjati fost oħrajn minn ċirkwiti, dijagrammi, u ritratti kif meħtieġ;

d. lista ta' verifika ta' testijiet obbligatorji li għandhom jitwettqu. Tali lista għandha tiġi pprovduta minn Transport Malta flimkien mal-formola tal-applikazzjoni msemmija fil-punt 3(ii) hawn taħt;

e. dettalji sħaħ u prova ta' kompetenza teknika u kompetenza tal-persuna kompetenti, flimkien ma' approvazzjoni bil-miktub għal tali persuna maħruġa mill-inġinier mekkaniku bil-*warrant* u l-inġinier elettriku bil-*warrant* li iffirmaw il-proposta teknika.

Transport Malta għandha tevalwa l-proposta teknika sottomessa u tinforma lill-applikant bid-deċiżjoni tagħha, li tista' tkun approvazzjoni, rifjut ġustifikat, talba għal kjarifika jew aktar informazzjoni, jew talba biex tiġi riveduta l-proposta. Transport Malta tirriżerva d-dritt li tillimita kwalunkwe approvazzjoni għal kategoriji jew mudelli speċifiċi ta' vetturi.

(ii) Applikazzjoni għal għotja taħt din l-iskema għandha ssir mis-sid reġistrat ta' vettura bil-mutur li fuqha għandha tiġi installata sistema ta' propulsjoni elettrika tal-batteriji approvata. Formola ta' applikazzjoni VEH048 li tista' titniżżel mill-websajt ta' Transport Malta jew tinġabar mill-uffiċċji ta' Transport Malta f'Raħal Ġdid, jew Ħal Lija, jew Għawdex - għandha tintuża għal dan il-għan.

(b) has been retrofitted with a battery electric powertrain;

(c) had the retrofitting of the battery electric powertrain carried out by a competent person.

**3. Manner of application and supporting documents**

(i) A person or an undertaking wishing to retrofit a battery electric powertrain on a motor vehicle shall present Transport Malta with a detailed technical proposal prepared and signed by a warranted mechanical engineer and a warranted electrical engineer, which shall include the following information:

a. full details of the vehicle and the original ICE powertrain;

b. full details of the motor, battery, electric traction chain and galvanically connected high-voltage rail, and any related and/or connected components;

c. full details of the installation methodology in accordance with the relevant EU Directives and UNECE Regulations (incl. EMC Directive and ECE R100.01 where applicable), and supported amongst others by circuitry, diagrams, and photos as necessary;

d. a checklist of obligatory tests to be carried out. Such checklist shall be provided by Transport Malta together with the application form mentioned in point 3(ii) below;

e. full details and proof of technical expertise and competence of the competent person, along with written approval for such person issued by the warranted mechanical engineer and the warranted electric engineer who signed the technical proposal.

Transport Malta shall evaluate the submitted technical proposal and revert to the applicant with its decision, which may be an approval, a justified rejection, a request for clarification or further information, or a request to revise the proposal. Transport Malta reserves the right to limit any approval to specific categories or models of vehicles.

(ii) An application for a grant under this scheme shall be made by the registered owner of a motor vehicle on which an approved battery electric powertrain shall be retrofitted. Application form VEH 048 which may be downloaded from the website of Transport Malta or collected from Transport Malta's offices in Poala, or Lija, or Gozo - shall be used for this purpose.

(iii) Applikazzjonijiet kompluti għandhom jiġu ffirmati u ttimbrati mill-persuna kompetenti u għandhom ikunu akkumpanjati mid-dokumenti u l-ħlas li ġejjin:

(a) kopja taċ-ċertifikat ta' approvazzjoni maħruġ minn Transport Malta għat-tagħmir ta' sistema ta' propulsjoni elettrika tal-batteriji fuq il-vettura bil-mutur;

(b) kopja taċ-ċertifikat ta' tagħmir maħruġ, iffirmat u ttimbrat mill-persuna kompetenti u l-inġiniera mekkaniċi u elettriċi bil-*warrant* li pproponew ir-retrofitting;

(c) ċertifikat tat-test tal-VRT maħruġ fi żmien tletin (30) jum mid-data tat-tagħmir tas-sistema ta' propulsjoni elettrika tal-batteriji fuq il-vettura bil-mutur;

(d) iċ-ċertifikat ta' reġistrazzjoni oriġinali tal-vettura (logbook);

(e) ħlas amministrattiv ta' għaxar Euro (€10), pagabbli lil Transport Malta, għall-ħruġ mill-ġdid taċ-ċertifikat ta' reġistrazzjoni tal-vettura.

(iv) L-applikazzjonijiet taħt din l-iskema, flimkien mad-dokumenti rilevanti kollha, għandhom jiġu sottomessi mill-applikant lil Transport Malta, Road Transport Licensing Unit (RTLU), A3 Towers, Arcade Street, Raħal Ġdid, bejn is-07:30 u s-13:00 waqt ġranet tax-xogħol, jew mibgħuta fl-istess indirizz.

**4. Eliġibilità**

(i) Biex ikun eliġibbli, applikant għandu jikkonforma mat-Taqsima 2.

(ii) Biex tikkwalifika, il-vettura bil-mutur:

(a) għandha tkun reġistrata f'isem l-applikant fid-data tal-installar u d-data tas-sottomissjoni tal-applikazzjoni għall-għotja;

(b) għandha tkun vettura bil-mutur ICE tal-kategorija M jew N jew SP1;

(c) għandha tkun mgħammra b'sistema ta' propulsjoni elettrika tal-batteriji approvata minn persuna kompetenti;

(iii) Transport Malta tirriżerva d-dritt li tispezzjona vetturi wara t-tagħmir tas-sistema ta' propulsjoni elettrika tal-batteriji approvata u qabel l-approvazzjoni tal-għotja relatata. Tali spezzjoni għandha tiffoka fuq is-sikurezza tal-installazzjoni u l-impatt tagħha fuq is-sikurezza ġenerali u l-funzjoni tal-vettura kkonċernata.

(iii) Complete applications shall be signed and stamped by the competent person and shall be accompanied by the following documents and payment:

(a) a copy of the approval certificate issued by Transport Malta for the retrofitting of a battery electric powertrain on the motor vehicle;

(b) a copy of the certificate of retrofitting issued, signed and stamped by the competent person and the warranted mechanical and electrical engineers who proposed the retrofitting;

(c) a VRT test certificate issued within thirty (30) days from the date of retrofitting of the battery electric powertrain on the motor vehicle;

(d) the original vehicle's registration certificate (logbook);

(e) an administrative fee of ten Euro (€10), payable to Transport Malta, for the issuing of a new vehicle registration certificate.

(iv) Applications under this scheme, together with all the relevant documents, shall be submitted by the applicant to Transport Malta, Road Transport Licensing Unit (RTLU), A3 Towers, Arcade Street, Paola, between 07:30 and 13:00 during working days, or mailed to the same address.

**4. Eligibility**

(i) To be eligible, an applicant shall conform with Section 2.

(ii) To qualify, the motor vehicle:

(a) shall be registered in the applicant's name on the date of retrofitting and the date of submission of application for the grant;

(b) shall be an ICE motor vehicle in the M or N or SP1 Category;

(c) shall be equipped with an approved battery electric powertrain installed by a competent person;

(iii) Transport Malta reserves the right to inspect vehicles following the retrofitting of the approved battery electric powertrain and prior to the approval of the related grant. Such inspection shall focus on the safety of the installation and its impact on the overall safety and function of the concerned vehicle.

(iv) Applikant ikun intitolat għal massimu ta' għotja waħda (1) taħt din l-iskema, u għalhekk għal mhux aktar minn għoxrin elf Ewro (€20,000) fil-każ ta' vetturi tal-Kategoriji M1 u N1, mhux aktar minn erbgħin elf Euro (€40,000) fil-każ ta' vettura tal-Kategorija M2 jew N2 u mhux aktar minn tmenin elf Euro (€80,000) fil-każ ta' vettura tal-Kategorija M3 jew N3 jew SP1.

**5. Ħlas ta' Għotja**

Fejn applikant jikkwalifika għall-għotja, l-għotja għandha titħallas direttament lill-applikant. L-għotja mogħtija m'għandhiex tiġi assessjata bħala dħul għall-finijiet tat-taxxa fuq id-dħul.

Fil-każ ta' applikazzjoni minn impriża, il-ħlas għandu jiġi affettwat biss jekk l-għajnuna totali *de minimis* mogħtija lil xi impriża waħda ma taqbiżx il-limiti stabbiliti fir-Regolament *de minimis* applikabbli kif deskritt fit-Taqsima 2.1 hawn fuq.

Skont l-attività tal-applikant, il-limiti de minimis huma kif ġej:

(a) Għal impriżi li huma attivi fil-produzzjoni primarja tal-prodotti agrikoli, l-ammont totali ta' għajnuna de minimis mogħtija lil xi impriża waħda m'għandux ikun iktar minn €20,000 fuq kwalunkwe perjodu ta' tliet snin fiskali;

(b) Għal impriżi li huma attivi fis-settur tas-sajd u tal-akkwakultura, l-ammont totali ta' għajnuna de minimis mogħtija lil xi impriża waħda m'għandux ikun iktar minn €30,000 fuq kwalunkwe perjodu ta' tliet snin fiskali;

(c) Għal impriżi li huma attivi fis-setturi l-oħra kollha, l-ammont totali ta' għajnuna de minimis mogħtija lil xi impriża waħda m'għandux ikun iktar minn €200,000 (jew €100,000 fil-każ ta' xi impriża waħda li twettaq trasport tal-merkanzija bit-triq b'kiri jew bi ħlas) fuq kwalunkwe perijodu ta' tliet snin fiskali.

Dan il-limitu massimu jkun jinkludi l-għajnuna mill-Istat kollha mogħtija taħt din l-iskema ta' għajnuna u kull miżura oħra ta' għajnuna mill-Istat mogħtija taħt ir-regola *de minimis,* inkluż dik li tirċievi minn kwalunkwe entità għajr Transport Malta fuq perjodu ta' tliet snin fiskali. Kwalunkwe għajnuna *de minimis* riċevuta li taqbeż il-limitu applikabbli stabbilit se jkollha tiġi rkuprata, bl-imgħax, mill-impriża li tirċievi l-għajnuna.

L-applikanti kollha li huma mpriża għandhom jimlew u jissottomettu, flimkien mal-formola tal-applikazzjoni, formola ta' dikjarazzjoni *de minimis* iffirmata li tindika kwalunkwe għajnuna *de minimis* riċevuta matul is-sena fiskali kurrenti u s-sentejn fiskali preċedenti.

(iv) An applicant shall be entitled for up to one (1) grant under this scheme, and therefore for not more than twenty thousand Euro (€20,000) in the case of a Category M1 or N1 vehicle, not more than forty thousand Euro (€40,000) in the case of a Category M2 or N2 vehicle and not more than eighty thousand Euro (€80,000) in the case of a Category M3 or N3 or SP1 vehicle.

**5. Payment of Grant**

Where an applicant qualifies for the grant, the grant shall be paid directly to the applicant. The grant given shall not be assessed as income for income tax purposes.

In the case of an application by an undertaking, payment shall be affected only if the total amount of *de minimis* aid granted to a single undertaking does not exceed the thresholds established in the applicable De Minimis Regulation as outlined in Section 2.1 above.

Depending on the applicant's activity, the de minimis thresholds are as follows:

a) For undertakings active in the primary production of agricultural products, the total amount of de minimis aid granted to a single undertaking shall not exceed €20,000 over any period of three fiscal years;

b) For undertakings active in the fishery and aquaculture sector, the total amount of de minimis aid granted to a single undertaking shall not exceed €30,000 over any period of three fiscal years;

c) For all other undertakings, the total amount of de minimis aid shall not exceed €200,000 per single undertaking (or €100,000 in the case of single undertakings performing road freight transport for hire or reward) over any period of three fiscal years.

This maximum threshold would include all State aid granted under this aid scheme and any other State aid measure granted under the de minimis rule including that received from any entity other than Transport Malta over a period of three fiscal years. Any *de minimis* aid received in excess of the established applicable threshold will have to be recovered, with interest, from the undertaking receiving the aid.

All applicants which are an undertaking are to fill in and submit, together with the application form, a signed *de minimis* declaration form indicating any *de minimis* aid received during the current fiscal year and the previous two fiscal years.

**6. Validità tal-applikazzjoni**

Applikazzjoni m'għandhiex titqies li ġiet sottomessa mill-applikant sakemm ma tkunx mimlija b'mod sħiħ u tkun akkumpanjata mid-dokumenti rilevanti kollha. Jekk l-applikazzjoni ma timtelax b'mod korrett u d-dokumenti rilevanti ma jkunux inklużi, it-talba għall-għotja m'għandhiex tiġi pproċessata sakemm tiġi pprovduta l-informazzjoni nieqsa. Transport Malta għandha tikteb lill-applikant billi tavżah dwar l-informazzjoni meħtieġa.

**7. Rifużjoni tal-għotja jekk it-tagħmir jitneħħa jew jiġi diżattivat**

Persuna li tirċievi għotja taħt din l-iskema tkun obbligata li tirrifondi dik l-għotja lill-Awtorità jekk f'perjodu ta' mill-inqas sitta u tletin (36) xahar mid-data tal-approvazzjoni tal-għotja:

a) is-sid ta' vettura li fuqha ġiet installata sistema ta' propulsjoni elettrika tal-batteriji approvata jagħmel talba lil Transport Malta biex is-sistema ta' propulsjoni elettrika tal-batteriji titneħħa jew tinbidel b'sistema ta' propulsjoni differenti; jew

b) ikun ippruvat li s-sistema ta' propulsjoni elettrika tal-batteriji tneħħiet jew inbidlet b'sistema ta' propulsjoni differenti.

**8. Tul tal-iskema**

Din l-iskema għandha tibqa' fis-seħħ sal-31 ta' Diċembru, 2022, sakemm ma tiġix modifikata jew terminata minn qabel b'Avviż fil-Gazzetta tal-Gvern. Dawn l-għotjiet għandhom jitqiesu bħala mitmuma meta jintlaħaq il-limitu massimu rispettiv. Minkejja dan, il-Gvern jista' jtemm l-iskema fi kwalunkwe ħin billi jagħti avviż minn qabel.

L-iskema tista' tiġġedded kif jitqies meħtieġ mill-Ministru għat-Trasport, Infrastruttura u Proġetti Kapitali permezz ta' Avviż fil-Gazzetta tal-Gvern.

**9. Emendi għall-iskema**

Il-Ministru għat-Trasport, Infrastruttura u Proġetti Kapitali jista' jagħmel xi emendi għal din l-iskema permezz ta' Avviż fil-Gazzetta tal-Gvern.

**10. Talbiet b'qerq**

Fejn jinstab li talba saret b'qerq, Transport Malta tista' tibda proċeduri kriminali kontra dawk responsabbli. F'każ ta' ħlas ħażin ta' talba, Transport Malta tirriżerva d-dritt li tirkupra fondi mħallsa bi żball.

Il-5 ta' Lulju, 2022

**6. Validity of application**

An application shall not be deemed to have been submitted by the applicant unless it is completed in full and is accompanied by all the relevant documents. If the application is not completed correctly and the relevant documents are not included, the claim for the grant shall not be processed until the missing information is provided. Transport Malta shall write to the applicant advising him about the information required.

**7. Refund of grant if the retrofitting is removed or disabled**

A person who receives a grant under this scheme shall be obliged to refund such grant to the Authority if within a period of at least thirty-six (36) months from the date of the grant's approval:

a) the owner of a vehicle on which an approved battery electric powertrain has been retrofitted makes a request to Transport Malta to have the electric powertrain removed or replaced by a different propulsion system; or

b) it is proven that the electric powertrain was either removed or replaced by a different propulsion system.

**8. Duration of scheme**

This scheme shall remain in force until the 31st December, 2022, unless modified or terminated beforehand by a Notice in the Government Gazette. These grants shall be considered as terminated when the respective capping is reached. Notwithstanding, Government may terminate the scheme at any time by giving prior notice.

The scheme may be renewed as deemed necessary by the Minister for Transport, Infrastructure and Capital Projects by a Notice in the Government Gazette.

**9. Amendments to the scheme**

The Minister for Transport, Infrastructure and Capital Projects may make any amendments to this scheme by a Notice in the Government Gazette.

**10. Fraudulent claims**

Where a fraudulent claim arises, Transport Malta may institute criminal proceedings against those responsible. In the event of an incorrect payment of a claim, Transport Malta reserves the right to recover funds paid in error.

5th July, 2022