Nru. 364

MINISTERU GĦAT-TRASPORT, INFRASTRUTTURA U PROĠETTI KAPITALI

Skema 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 fl-istess ħin;

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

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

L-iskema tidħol fis-seħħ fl-1 ta' Jannar 2023 u tagħlaq fil-31 ta' Diċembru 2023, 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 il-kuntest ma jkunx jeħtieġ xort'oħra:

No. 364

MINISTRY FOR TRANSPORT, INFRASTRUCTURE AND CAPITAL PROJECTS

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 2023 and closes on the 31st of December 2023, 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 għal 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 entità kummerċjali stabbilita f'Malta, inkluż persuna li taħdem għal rasha skont il-Liġi Nazzjonali, fundazzjoni jew soċjetà kooperattiva.

'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' superviżjoni 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 għandhom xi waħda mir-relazzjonijiet imsemmijin fil-punti (a) sa (d) hawn fuq permezz ta' intrapriża waħda jew aktar għandha wkoll titqies 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 a commercial entity established in Malta, including a self-employed person in accordance with National Law, a foundation 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 installata 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 installata 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, jitma', 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 emessi 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 taqbeż it-tliet tunnellati u nofs (3.5 tunnellati) imma 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 1408/2013 tat-18 ta' Diċembru 2013 dwar l-applikazzjoni tal-Artikoli 107 u 108 tat-Trattat dwar il-Funzjonament tal-Unjoni

'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 exceeding three and a half (3.5) tonnes but 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 (EU) No. 1408/2013 of 18 December 2013 on the application of Articles 107 and 108 of the Treaty on the Functioning

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) kif emendat aktar mir-Regolamanet tal-Kummissjoni (UE) 2022/2514 tal-14 ta' Diċembru 2022 li jemenda r-Regolament (UE) Nru 717/2014 fir-rigward tal-perjodu ta' applikazzjoni tiegħu (ĠU L 326/8, 21.12.2022) u kif emendat aktar mir-Regolamanet tal-Kummissjoni (UE) 2022/2514 tal-14 ta' Diċembru 2022 li jemenda r-Regolament (UE) Nru 717/2014 fir-rigward tal-perjodu ta' applikazzjoni tiegħu (ĠU L 326/8, 21.12.2022);

(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:

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) and as further amended by Commission Regulation (EU) 2022/2514 of 14 December 2022 amending Regulation (EU) No 717/2014 as regards its period of application (OJ L 326, 21.12.2022) and as further amended by Commission Regulation (EU) 2022/2514 of 14 December 2022 amending Regulation (EU) No 717/2014 as regards its period of application (OJ L 326, 21.12.2022);

(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:

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

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

i. has been retrofitted with an LPG feeding system approved by a type-approval authority of any European 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. A copy of the calibration and installation instructions published by the manufacturer of the LPG feeding system;

iii. fil-każ fejn iċ-ċertifikat tal-approvazzjoni msemmi hawn fuq ma japplikax 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-7.30 a.m. u s-1.00 p.m., matul il-ġranet tax-xogħol, jew jintbagħtu bil-posta lid-Dipartiment dwar il-Liċenzjar ta' Sewwieqa u Vetturi (DVLU) ta' Transport Malta fi:

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, applikant għandu jikkonforma mat-Taqsima 2.

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

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.

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 7.30 a.m. and 1.00 p.m. 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. 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. Ħlas tal-għotja

Fejn l-applikant jikkwalifika għall-għotja, l-għotja titħallas direttament lill-applikant. L-għotja li tingħata m'għandhiex tkun ivvalutata 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.

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. L-Awtorità m'għandhiex tinżamm responsabbli ta' kwalunkwe

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. 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. The Authority shall not be held responsible for any loss of

telf ta' għotjiet jew opportunitajiet li jirriżultaw mis-sottomissjoni ta' applikazzjoni mhux kompluta jew mhux korretta.

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:

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

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

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

8. Tul tal-iskema

Din l-iskema għandha tibqa' fis-seħħ sal-31 ta' Diċembru 2023, 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 għandu jkollu d-dritt li jagħmel kwalunkwe emenda għal din l-iskema permezz ta' Avviż fil-Gazzetta tal-Gvern.

10. Talbiet b'qerq

Meta 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, il-Ministru responsabbli għat-Trasport jirriżerva d-dritt li jirkupra fondi mħallsa bi

grants or opportunities resulting from the submission of an incomplete or incorrect application.

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:

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

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

(e) the security sticker has been removed.

8. Duration of scheme

This scheme shall remain in force until the 31st of December, 2023 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 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 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.

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.

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).

Il-21 ta' Marzu, 2023

Nru. 365

MINISTERU GĦAT-TRASPORT, INFRASTRUTTURA U PROĠETTI KAPITALI

Għotjiet għax-Xiri ta' Vetturi Aċċessibbli għas-Siġġijiet tar-Roti biex jintużaw għat-Trasport 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 aċċessibbli għas-siġġijiet tar-roti sabiex ikun offrut wieħed mis-servizzi msemmija fit-Taqsima 2 ta' dan id-dokument, sabiex persuni li jagħmlu użu minn siġġijiet tar-roti jkollhom aċċess faċli u mingħajr bżonn ta' għajnuna għal dawn is-servizzi ta' trasport.

Permezz ta' din l-iskema persuni li għandhom liċenzja biex joffru wieħed mis-servizzi msemmija fit-Taqsima 2 ta' dan id-dokument jistgħu jirċievu għotja li tammonta għal għaxart elef ewro (€10,000) meta jilliċenzjaw vettura li tkun aċċessibbli għas-siġġu tar-roti biex tintuża taħt tali 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 2023 fuq bażi ta' min jiġi l-ewwel jinqeda l-ewwel. L-iskema tibqa' miftuħa sal-31 ta' Dicembru 2023, jew sakemm jiġi eżawrit il-baġit allokat għaliha li jammonta għal mija u ħamsin elf ewro (€150,000).

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.

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).

21st March, 2023

No. 365

MINISTRY FOR TRANSPORT, INFRASTRUCTURE AND CAPITAL PROJECTS

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 vehicles to offer any of the services listed in Section 2 of this document, so that persons who make use of wheelchairs may have easy and unaided access to these transport services.

Through this scheme persons who hold a licence to offer any of the services listed in Section 2 of this document may receive a grant amounting to ten thousand Euro (€10,000) when licensing a new vehicle which is wheelchair-accessible to be used under that 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 2023 on a first come first served basis. The scheme shall remain open until the 31st of December 2023, or until the allocated budget of one hundred and fifty thousand Euro (€150,000) is exhausted.

Il-kundizzjonijiet ta' din l-iskema huma bla preġudizzju għar-rekwiżiti stipulati fir-regolamenti tas-servizzi tat-trasport imsemmija fit-Taqsima 2 ta' dan id-dokument; u dawn il-ħtiġijiet għandhom japplikaw dejjem sakemm ma jkun speċifikat mod ieħor.

Sidien li rreġistraw vettura aċċessibbli għas-siġġijiet tar-roti biex joffru wieħed mis-servizzi msemmija fit-Taqsima 2 ta' dan id-dokument fl-2022 u li ma bbenefikawx mill-iskema rispettiva ta' dik is-sena jew ta' xi sena preċedenti jistgħu japplikaw għal din l-iskema.

L-Iskema

1. Interpretazzjoni

Għall-finijiet ta' din l-iskema, sakemm il-kuntest ma jeħtiġx mod ieħor:

'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, ikollha liċenzja biex topera wieħed mis-servizzi msemmija fit-Taqsima 2 ta' dan id-dokument;

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

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

'għotja' tfisser l-għotja li qiegħda tingħata taħt din l-iskema lix-xerrej ta' vettura aċċessibbli għas-siġġu tar-roti sabiex tkun liċenzjata biex toffri wieħed mis-servizzi msemmija fit-Taqsima 2 ta' dan id-dokument;

'impriża stabbilita f'Malta' tfisser entità kummerċjali stabbilita f'Malta, inkluż persuna li taħdem għal rasha skont il-Liġi Nazzjonali, fundazzjoni jew soċjetà kooperattiva,

'impriża waħda' tinkludi, għall-finijiet 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, maniġerjali jew superviżorju ta' intrapriża oħra;

ċ) intrapriża waħda li jkollha d-dritt teżerċita influwenza dominanti fuq intrapriża oħra skont kuntratt ma' dik

The conditions of this scheme are without prejudice to the requirements stipulated in the regulations for the transport services listed Section 2 of this document; and such requirements shall always apply unless otherwise specified.

Owners who registered a wheelchair accessible vehicle to offer any of the services listed in Section 2 in 2022 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, holds a licence to operate any of the services listed in Section 2 of this document;

'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);

'grant' means the grant being given under this scheme to the purchaser of a wheelchair-accessible vehicle to be licensed to offer any of the services listed in Section 2 of this document;

'undertaking established in Malta' means a commercial entity established in Malta, including a self-employed person in accordance with National Law, a foundation 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

l-intrapriża jew skont dispożizzjoni tal-memorandum jew statut ta' assoċjazzjoni tagħha;

d) intrapriża waħda, li tkun azzjonista fi jew membru ta' intrapriża oħra, tikkontrolla waħidha, 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.

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

'Malta' tfisser il-Gżejjer Maltin;

'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 jew l-impriża li f'isimha vettura tkun ġiet reġistrata mill-Awtorità;

'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;

'vettura aċċessibbli għas-siġġu tar-roti' tfisser vettura bil-mutur ta' kategorija M1, jew M2, jew M3 li tippermetti aċċess faċli u bla għajnuna lil persuni li jagħmlu użu minn siġġijiet tar-roti;

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

'vettura tal-Kategorija M2' tfisser vettura bil-mutur użata għall-ġarr ta' persuni, li fiha aktar minn tmien (8) sedili minbarra dak tas-sewwieq, u li għandha massa massima li ma taqbiżx il-ħames (5) tunnellati;

'vettura tal-Kategorija M3' tfisser vettura bil-mutur użata għall-ġarr ta' persuni, li fiha aktar minn tmien (8) sedili minbarra dak tas-sewwieq, u li għandha massa massima li taqbeż il-ħames (5) tunnellati;

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.

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

'Malta' means the Maltese Islands;

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

'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;

'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.

'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;

'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;

'vettura tal-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 tal-merkanzija u li għandha massa massima li taqbeż it-tliet tunnellati u nofs (3.5 tunnellati) imma ma taqbiżx is-seba' tunnellati u nofs (7.5);

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

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

'vettura li tneħħiet mir-reġistrazzjoni' tfisser vettura bil-mutur tal-Kategorija M1, jew N1, jew M2, jew N2, jew M3, jew N3 li tneħħitilha r-reġistrazzjoni.

2. Qasam ta' applikabbiltà

2.1. L-iskema tapplika għall-persuni li jkunu residenti f'Malta u l-impriżi kollha stabbiliti f'Malta, jekk dik il-persuna jew impriża jkollha liċenzja biex toffri wieħed minn dawn is-servizzi:

A. Servizz ta' Taxi skont ir-Regolamenti dwar Servizzi tat-Taxi (L.S. 499.59); jew

B. Servizz ta' Trasport skont ir-Regolamenti dwar Servizzi ta' Ġarr ta' Passiġġieri b'Vetturi Żgħar u Servizzi ta' Kiri ta' Vetturi (L.S.499.68); jew

C. Servizz ta' Ġarr ta' Passiġġieri skont ir-Regolamenti dwar Servizzi ta' Ġarr ta' Passiġġieri (L.S. 499.56).

2.2. Minbarra l-konformità mal-klawżola 2.1, sabiex ikun eliġibbli għal din l-għotja applikant għandu jkun is-sid reġistrat ta' vettura bil-mutur 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.

3. Kif għandha ssir l-applikazzjoni u d-dokumenti ta' sostenn

3.1. Wara li l-vettura aċċessibbli għas-siġġu tar-roti tkun ġiet reġistrata f'Malta, l-aġent jew l-applikant għandu jissottometti d-dokumenti li ġejjin:

a) Il-formola tal-applikazzjoni VEH 053 mimlija kif suppost u ffirmata;

b) Iċ-ċertifikat ta' distruzzjoni tal-vettura li tkun ġiet skreppjata.

'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 exceeding three and a half (3.5) tonnes but 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;

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

2. Area of applicability

2.1. The scheme applies to persons residing in Malta and undertakings established in Malta, if that person or undertaking holds a licence to offer any of the following services:

A. Taxi services in accordance with the Taxi Services Regulations (S.L.499.59); or

B. Transport Services in accordance with the Light Passenger Transport Services and Vehicle Hire Services Regulations (S.L.499.68); or

C. Passenger Transport Services in accordance with the Passenger Transport Services Regulations (S.L.499.56).

2.2. In addition to compliance with clause 2.1, to be eligible for this grant an applicant shall also be 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.

3. Manner of application and supporting documents

3.1. After the wheelchair-accessible vehicle is registered in Malta, the agent or the applicant shall submit the following documents:

a) Application form VEH 053 duly filled and signed;

b) Destruction certificate for the scrapped vehicle.

3.2. Il-lista t'hawn fuq hija mingħajr preġudizzju għal kwalunkwe dokumenti meħtieġa biex tkun reġistrata l-vettura u biex tkun liċenzjata taħt is-servizz applikabbli kif imsemmija fit-Taqsima 2 ta' dan id-dokument.

3.3. L-applikazzjonijiet taħt din l-iskema, flimkien mad-dokumenti rilevanti kollha, għandhom jiġu sottomessi mill-applikant matul il-ġranet tax-xogħol bejn is-7.30 a.m. u s-1.00 p.m.jew mibgħuta bil-posta lid-Dipartiment dwar il-Liċenzjar ta' Sewwieqa u Vetturi (DVLU) ta' Transport Malta fuq:

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

b) Malta Transport Centre, Triq il-Pantar, Ħal Lija LJA2021; jew

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

4. Eliġibbiltà

4.1. Sabiex ikun eliġibbli, applikant għandu jkun konformi mat-Taqsima 2, u mal-kundizzjonijiet u r-regolamenti kollha relatati mas-servizz applikabbli kif imsemmi fit-Taqsima 2.

4.2. Biex tikkwalifika għall-għotja, vettura aċċessibbli għas-siġġu tar-roti għandha tkun:

a) vettura bil-mutur ġdida tal-kategorija M1, jew M2, jew M3 meħtieġa sabiex toffri s-servizz applikabbli kif imsemmi fit-Taqsima 2; u

b) liċenzjata biex topera s-servizz applikabbli kif imsemmi fit-Taqsima 2 sa mhux aktar tard mill-31 ta' Diċembru tal-2023; u

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

d) Modifikata lokalment, hekk kif approvat mill-Unità Teknika tal-Awtorità, sabiex persuna li tuża siġġu tar-roti tkun tista' taċċessa l-vettura faċilment u mingħajr għajnuna, u tkun tista' tinġarr fil-vettura b'mod sigur.

4.3. Biex tikkwalifika, vettura bil-mutur li tkun se titneħħa mir-reġistrazzjoni jeħtieġ:

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

3.2. The above list is without prejudice to any documents required to register the vehicle and to license it under the applicable transport service as listed in Section 2 of this document.

3.3. Applications under this scheme, together with all the relevant documents, shall be submitted by the applicant during working days between 7.30 a.m. and 1.00 p.m. 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.

4. Eligibility

4.1 To be eligible, an applicant shall conform with Section 2, and with all conditions and regulations related to the applicable service as listed in Section 2.

4.2 To qualify for the grant, a wheelchair-accessible vehicle shall be:

a) a new M1, or M2, or M3 category motor vehicle required to offer the applicable service as listed in Section 2; and

b) licensed to operate the applicable services as listed in Section 2 by not later than 31st December 2023; and

c) 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

d) 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.

4.3 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) tkun reġistrata f'isem l-applikant fid-data meta titneħħa mir-reġistrazzjoni skont kif muri fiċ-ċertifikat tar-reġistrazzjoni jew kif ikkonfermat mill-Awtorità;

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

d) tkun tneħħiet 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 qabel l-1 ta' Jannar 2022.

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

4.4. L-għotja li tingħata m'għandhiex tiġi vvalutata bħala dħul għall-finijiet ta' taxxa.

4.5. L-iskema se tkun limitata għal ħmistax-il (15) vettura eliġibbli fuq bażi ta' min jiġi l-ewwel jinqeda l-ewwel.

5. Ħlas tal-għotja

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

5.2. 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.

5.3. 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 il-perjodu ta' tliet snin fiskali. Kwalunkwe għajnuna de minimis riċevuta li taqbeż il-limitu massimu stabbilit trid tkun irkuprata, bl-interessi, mingħand l-impriża li tirċievi l-għajnuna.

5.4. 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'għandhiex titqies li tkun ġiet sottomessa mill-applikant sakemm ma tkunx imtliet bis-sħiħ

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;

d) have been de-registered in terms of Part VIII of the Registration and Licensing of Motor Vehicles Regulations (S.L.368.02) not earlier than 1st January 2022.

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

4.4 The grant given shall not be assessed as income for tax purposes.

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

5. Payment of Grant

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

5.2. 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.

5.3. 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.

5.4. 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

u tkun akkumpanjata mid-dokumenti rilevanti kollha. Jekk l-applikazzjoni ma timteliex tajjeb u d-dokumenti relevanti ma jkunux inklużi, it-talba għall-għotja ma tiġix proċessata sakemm tingħata l-informazzjoni nieqsa. L-Awtorità m'għandhiex tinżamm responsabbli ta' kwalunkwe telf ta' għotjiet jew opportunitajiet li jirriżultaw mis-sottomissjoni ta' applikazzjoni mhux kompluta jew mhux korretta.

7. Rifużjoni tal-għotja

Vettura aċċessibbli għas-siġġu tar-roti mixtrija mill-applikant u li għaliha tkun ingħatat għotja taħt din l-iskema għandha tibqa' reġistrata f'isem l-applikant u użata biex toffri l-istess servizz kif imsemmi fit-Taqsima 2 għal perjodu ta' mill-anqas sitta u tletin (36) xahar mid-data tal-ewwel reġistrazzjoni. Jekk sid reġistrat ta' vettura aċċessibbli għas-siġġu tar-roti li għaliha tkun ingħatat għotja taħt din l-iskema għal xi raġuni jittrasferixxi l-imsemmija vettura minbarra trasferiment causa mortis lil xi werriet, lil terza persuna, hu jkun obbligat irodd lura l-għotja li jkun irċieva lill-Awtorità.

Jekk is-sid reġistrat ta' vettura aċċessibbli għas-siġġu tar-roti li għaliha tkun ingħatat għotja taħt din l-iskema jilliċenzja l-vettura għal użu privat fi żmien sitta u tletin (36) xahar mid-data tal-ewwel reġistrazzjoni, dak is-sid ikun obbligat irodd lura l-ammont sħiħ tal-għotja lill-Awtorità.

8. Tul ta' żmien tal-iskema

Din l-iskema tibqa' fis-seħħ sal-31 ta' Diċembru 2023 sakemm ma tiġix modifikata jew mitmuma qabel permezz ta' Avviż fil-Gazzetta tal-Gvern. L-iskema tiġi mitmuma b'mod awtomatiku meta l-ammont totali ta' għotjiet approvati jilħaq il-mija u ħamsin elf ewro (€150,000).

9. Emendi lill-iskema

Il-Ministru għat-Trasport, Infrastruttura u Proġetti Kapitali għandu d-dritt li jagħmel kull emendi lill-iskema permezz ta' Avviż fil-Gazzetta tal-Gvern.

10. Talbiet frawdolenti

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

Il-21 ta' Marzu, 2023

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 not be held responsible for any loss of grants or opportunities resulting from the submission of an incomplete or incorrect application.

7. Refunding of grant

A new wheelchair-accessible vehicle purchased by the applicant and for which a grant is issued under this scheme shall remain registered in the applicant's name and used to offer the same service as listed in Section 2 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 for 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 to the Authority.

If the registered owner of a wheelchair-accessible vehicle for 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 amount of the grant to the Authority.

8. Duration of scheme

This scheme shall remain in force until the 31st December 2023 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 has 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 shall report the matter to the Police for criminal procedures to be instituted. In the event of an incorrect payment of a claim, the Minister responsible for Transport reserves the right to recover funds paid in error. This also applies to undertakings and voluntary organisations that carry out economic activity, especially with respect to State Aid regulations. Applicants are to make sure that the information provided is correct.

21st March, 2023

Nru. 366

MINISTERU GĦAT-TRASPORT, INFRASTRUTTURA U PROĠETTI KAPITALI

Skema ta' Għotjiet għall-Promozzjoni tal-Installazzjoni ta' Pannelli Fotovoltajċi Approvati fuq Vetturi għat-Trasport 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 għat-trasport tal-passiġġieri bħal karozzi tal-linja, coaches u minibuses, sabiex inaqqsu l-konsum tal-fjuwil u l-emissjoni tad-Diossidu tal-Karbonju (CO2) mill-vetturi bil-mutur tagħhom permezz tal-installazzjoni ta' Pannelli Fotovoltajċi Approvati. Din hija miżura oħra favur l-ambjent maħsuba biex tkompli tnaqqas l-emissjonijiet mit-traffiku fit-toroq.

Soġġetta għall-kundizzjonijiet t'hawn taħt, għotja ugwali għal 15% tal-investiment meħtieġ għall-installazzjoni ta' pannelli fotovoltajċi approvati se tingħata lis-sidien reġistrati tal-vetturi kkonċernati. Madanakollu, l-ammont tal-għotja m'għandux jaqbeż id-disa' mitt Ewro (€900) fil-każ ta' vettura tal-kategorija M3 (karozza tal-linja jew coach) 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 2023 u tagħlaq fil-31 ta' Diċembru 2023, jew sakemm il-baġit allokat ta' ħamsin 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 il-kuntest ma jeħtiġx mod ieħor:

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

No. 366

MINISTRY FOR TRANSPORT, INFRASTRUCTURE AND CAPITAL PROJECTS

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 2023 and closes on the 31st of December 2023, or until the allocated budget of fifty thousand Euro (€50,000) 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

ta' pannelli fotovoltajċi approvati fuq vettura għat-trasport tal-passiġġieri;

'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 hija reġistrata l-vettura;

'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 entità kummerċjali stabbilita f'Malta, inkluż persuna li taħdem għal rasha skont il-Liġi Nazzjonali, fundazzjoni jew soċjetà kooperattiva;

'impriża unika' tinkludi, għall-finijiet 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, maniġerjali jew superviżorju 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-istatut ta' assoċjazzjoni tagħha;

d) intrapriża waħda, li tkun azzjonista fi jew membru ta' intrapriża oħra, tikkontrolla waħidha, 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;

'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 is-Sezzjoni 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 dak tas-sewwieq, u li għandha massa massima li ma taqbiżx il-ħames (5) tunnellati;

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

2. Qasam ta' applikabbiltà

2.1. L-iskema tapplika għal impriżi stabbiliti f'Malta, u se tkun implimentata skont 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 għat-trasport tal-passiġġieri li:

(i) hija rreġistrata ma', u liċenzjata minn, Transport Malta f'isem l-applikant fid-data tal-installazzjoni 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 ta' sostenn

3.1. Applikazzjoni għall-approvazzjoni ta' pannelli fotovoltajċi li għandhom jiġu 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 għat-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 ċertifikat ta' approvazzjoni lill-applikant għall-installazzjoni tal-pannelli fotovoltajċi proposti fuq vetturi għat-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 ikunu 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 VEH 072 – li tista' titniżżel mis-sit web ta' Transport Malta jew tinġabar mill-uffiċċji ta' Transport Malta f'Raħal Ġdid, 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 għat-trasport tal-passiġġieri;

(b) Kopja taċ-ċertifikat tal-installazzjoni 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 VEH 072 – 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 bejn is-sena 2020 u s-sena 2022, l-applikazzjoni għandha tinkludi evidenza dokumentata li:

a) L-ispeċifikazzjonijiet tal-pannelli fotovoltajċi u l-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-dokument.

(iv) L-applikazzjonijiet taħt din l-iskema, flimkien mad-dokumenti rilevanti kollha, għandhom jiġu sottomessi mill-applikant lid-Dipartiment dwar il-Liċenzjar ta' Sewwieqa u Vetturi (DVLU) ta' Transport Malta f' wieħed mill-indirizzi t'hawn taħt:

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

b) Malta Transport Centre, Triq il-Pantar, Ħal Lija LJA2021; jew

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

4. Eliġibbiltà

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

(ii) Biex tikkwalifika, il-vettura għat-trasport tal-passiġġieri:

(a) għandha tkun reġistrata 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 bil-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-funzjoni ġenerali tal-vettura kkonċernata.

(iv) Applikant ikun intitolat għal massimu ta':

(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 between 2020 and 2022, 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 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, 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.

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) 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.

5. Ħlas tal-Għotja

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

Il-ħlas għandu jsir biss jekk l-għajnuna totali de minimis mogħtija lil impriża unika ma taqbiżx il-limitu massimu 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 entità apparti Transport Malta tul perjodu ta' tliet snin fiskali. Kwalunkwe għajnuna de minimis riċevuta li taqbeż 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 tindika kull għajnuna de minimis riċevuta matul is-sena fiskali attwali u l-aħħar sentejn fiskali.

6. Validità tal-applikazzjoni

Applikazzjoni m'għandhiex titqies li tkun ġiet sottomessa mill-applikant sakemm ma timteliex bis-sħiħ u tkun akkumpanjata mid-dokumenti rilevanti kollha. Jekk l-applikazzjoni ma timteliex tajjeb jew id-dokumenti rilevanti ma jkunux inklużi, it-talba għall-għotja m'għandhiex tiġi pproċessata sakemm tingħata l-informazzjoni nieqsa. L-Awtorità m'għandhiex tinżamm responsabbli ta' kwalunkwe telf ta' għotjiet jew opportunitajiet li jirriżultaw mis-sottomissjoni ta' applikazzjoni mhux kompluta jew mhux korretta.

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 kienu ġew installati pannelli fotovoltajċi approvati jagħmel talba lil Transport Malta biex jitneħħew il-pannelli fotovoltajċi; jew

(b) ikun ppruvat li din is-sistema jew tkun tneħħiet, jew tkun ġiet diżattivata bi kwalunkwe mod, jew ma kinitx qed tintuża kif xieraq.

(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. 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. The Authority shall not be held responsible for any loss of grants or opportunities resulting from the submission of an incomplete or incorrect application.

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.

Vettura li fuqha jkunu installati pannelli fotovoltajċi approvati u li għaliha tinħareġ għotja taħt din l-iskema għandha tibqa' reġistrata f'isem l-applikant għal perjodu 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 xi werriet, huwa jkun obbligat jirrifondi l-għotja riċevuta lill-Awtorità.

8. Tul ta' żmien tal-iskema

Din l-iskema għandha tibqa' fis-seħħ sal-31 ta' Diċembru 2023, sakemm ma tkunx modifikata jew mitmuma qabel b'Avviż fil-Gazzetta tal-Gvern. Dawn l-għotjiet għandhom jitqiesu mitmuma meta l-baġit allokat rispettiv jintlaħaq. Minkejja dan, il-Gvern jista' jtemm l-iskema fi kwalunkwe ħin permezz ta'avviż minn qabel.

L-iskema tista' tiġġedded kif 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 kull emenda għal din l-iskema permezz ta' Avviż fil-Gazzetta tal-Gvern.

10. Talbiet b'qerq

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, il-Ministru responsabbli għat-Trasport 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.

Il-21 ta' Marzu, 2023

Nru. 367

MINISTERU GĦAT-TRASPORT, INFRASTRUTTURA U PROĠETTI KAPITALI

Skema biex Tippromwovi t-Tagħmir ta' Filtri tal-Partikuli tad-Diesel (DPF) u Sistemi ta' Tnaqqis Katalitiku Selettiv (SCR) fuq Vetturi Heavy-Duty b'Magni Diesel

IL-MINISTERU għat-Trasport, Infrastruttura u Proġetti Kapitali flimkien mal-Awtorità għat-Trasport f'Malta, qed iniedu skema ta' għotjiet biex jinċentivaw lis-sidien

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 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 2023, 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, 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 Minister responsible for Transport reserves the right to recover funds paid in error. This also applies to undertakings and voluntary organisations that carry out economic activity, especially with respect to State Aid regulations. Applicants are to make sure that the information provided is correct.

21st March, 2023

No. 367

MINISTRY FOR TRANSPORT, INFRASTRUCTURE AND CAPITAL PROJECTS

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

ta' vetturi heavy-duty biex inaqqsu l-emissjonijiet ta' PM u tal-NO_x mill-vetturi bil-mutur tagħhom permezz tat-tagħmir ta' filtri tal-partikuli tad-diesel (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.

Suġġetta 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 ta' PM u tal-NO_x.

L-iskema tidħol fis-seħħ fl-1 ta' Jannar 2023 u tagħlaq fil-31 ta' Diċembru 2023, 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 rreġistrata f'isimha;

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

'ċertifikat tar-reġistrazzjoni tal-vettura' tfisser iċ-ċertifikat tar-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 irreġistrata l-vettura;

'ċertifikat tat-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-diesel;

'emissjonijiet tal-NOx' tfisser emissjonijiet ta' ossidi tan-nitroġenu;

vehicle owners to reduce PM and 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.

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 PM and NO_x emissions.

The scheme comes into effect on the 1st of January 2023 and closes on the 31st of December 2023, 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:

'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;

'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;

'NOx emissions' means emissions of nitrogen oxides;

'emissjonijiet ta' PM' tfisser emissjonijiet ta' partikuli;

'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;

'impriża stabbilita f'Malta' tfisser entità kummerċjali stabbilita f'Malta, inkluż persuna li taħdem għal rasha skont il-Liġi Nazzjonali, fundazzjoni 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 Maltin;

'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 fl-Artikolu 5(a) u (b) tar-Regolament (UE) Nru 1379/2013;

'PM emissions' means emissions of particles;

'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;

'undertaking established in Malta' means a commercial entity established in Malta, including a self-employed person in accordance with National Law, a foundation 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.

'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;

'SCR' tfisser tnaqqis katalitiku selettiv;

'sid reġistrat' tfisser il-persuna li f'isimha tkun irreġistrata vettura bil-mutur minn 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 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 ((NH2)2CO) f'ammonja (NH3) u dijossidu tal-karbonju (CO2). L-emissjonijiet tal-NOx tal-gass tal-egżost huma mbagħad mibdula f'nitroġenu molekulari (N2) u ilma (H2O), hekk kif jirreaġixxu mal-ammonja f'wiċċ katalitiku;

'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 heavy-duty' tfisser, għall-fini ta' din l-iskema, vettura bil-mutur imħaddma b'magna diesel u li għandha massa massima permissibbli li taqbeż it-tlett elef u ħames mitt kilogrammi (3,500kg);

2. Għal min tapplika l-Iskema

L-iskema tapplika għal impriża stabbilita f'Malta, li twettaq 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

'SCR' means selective catalytic reduction;

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

'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 ((NH2)2CO) into ammonia (NH3) and carbon dioxide (CO2). Exhaust gas NOx emissions are thereafter transformed into molecular nitrogen (N2) and water (H2O), as they react with the ammonia at a catalytic surface;

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

'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. 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) 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) 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)

rilevanti oħra (ĠU L 414/15, 9.12.2020) u kif emendat aktar mir-Regolamanet tal-Kummissjoni (UE) 2022/2514 tal-14 ta' Diċembru 2022 li jemenda r-Regolament (UE) Nru 717/2014 fir-rigward tal-perjodu ta' applikazzjoni tiegħu (ĠU L 326/8, 21.12.2022);

(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 ikun is-sid reġistrat ta' vettura heavy-duty li:

(a) tkun irreġistrata 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-NOx 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) L-applikazzjoni għal għotja taħt din l-iskema għandha ssir mis-sid reġistrat wara li jkun sar it-tagħmir tal-vettura bil-mutur b'apparat tad-DPF u sistema tal-SCR minn persuna kompetenti. Il-formola tal-applikazzjoni VEH 052 – li tista' titniżżel mis-sit elettroniku ta' Transport Malta jew tingħabar 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 tal-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;

and as further amended by Commission Regulation (EU) 2022/2514 of 14 December 2022 amending Regulation (EU) No 717/2014 as regards its period of application (OJ L 326/8, 21.12.2022);

(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 NOx 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 VEH 052 – 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) 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-sistema tal-SCR li jirrikonoxxu lil persuna li jkun għammar il-vettura bħala persuna kompetenti;

(d) kopja taċ-ċertifikat tat-tagħmir maħruġ mill-persuna kompetenti;

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

(iii) L-applikazzjonijiet jiġu aċċettati biss jekk il-valur tal-emissjonijiet tal-NOx fit-test tal-emissjonijiet ta' wara l-installazzjoni jkun ferm aktar baxx mill-valur tal-emissjonijiet tal-NOx 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 matul il-ġranet tax-xogħol bejn is-7.30 a.m. u s-1.00 p.m.jew mibgħuta bil-posta lid-Dipartiment dwar il-Liċenzjar ta' Sewwieqa u Vetturi (DVLU) ta' Transport Malta fuq:

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

b) Malta Transport Centre, Triq il-Pantar, Ħal Lija LJA2021; jew

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

4. Eliġibilità

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

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

(a) għandha tkun irreġistrata f'isem l-applikant fid-data tal-installar u d-data tas-sottomissjoni tal-applikazzjoni għall-għotja;

(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) 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 NOx emission value in the post-installation emissions test is markedly lower than the NOx 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 during working days between 7.30 a.m. and 1.00 p.m. 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.

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) 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. Din l-ispezzjoni għandha tiffoka fuq is-sigurtà tal-installazzjoni u l-impatt tagħha fuq is-sigurtà ġenerali u l-funzjoni tal-vettura kkonċernata.

(iv) Applikant ikun intitolat għal massimu ta' żewġ (2) għotjiet taħt din l-iskema, b'għotja massima aggregata ta' għoxrin elf ewro (€20,000).

5. Ħlas tal-għotja

Meta applikant jikkwalifika għall-għotja, l-għotja għandha titħallas direttament lill-applikant. L-għotja mogħtija m'għandhiex tiġi valutata bħala dħul għall-finijiet tat-taxxa fuq id-dħul.

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 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 tal-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 tal-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 tal-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 ġarr 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

(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 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, with a maximum aggregate grant of 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

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 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. L-Awtorità m'għandhiex tinżamm responsabbli ta' kwalunkwe telf ta' għotjiet jew opportunitajiet li jirriżultaw mis-sottomissjoni ta' applikazzjoni mhux kompluta jew mhux korretta.

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

Applikant li jirċievi għotja taħt din l-iskema jkun obbligat li jirrifondi 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 2023, sakemm ma tiġix modifikata jew mitmuma 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 jintuża l-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.

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 documents are not included, the claim for the grant shall not be processed until the missing information is provided. The Authority shall not be held responsible for any loss of grants or opportunities resulting from the submission of an incomplete or incorrect application.

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 2023, unless modified or terminated beforehand by a Notice in the Government Gazette. The grants under this scheme shall be capped to ten (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. Emendi għall-iskema

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

10. Talbiet b'qerq

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, il-Ministru responsabbli għat-Trasport 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.

Il-21 ta' Marzu, 2023

Nru. 368

MINISTERU GĦAT-TRASPORT, INFRASTRUTTURA U PROĠETTI KAPITALI

Skema 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, li iżda ma teċċedix il-limiti stipulati fil-klawsola 4.4 ta' dan id-dokument, lis-sidien reġistrati.

L-iskema tidħol fis-seħħ fl-1 ta' Jannar 2023 u tagħlaq fil-31 ta' Diċembru 2023, jew sakemm il-baġit allokat ta' ħamsin elf Ewro (€50,000) 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:

9. Amendments to the scheme

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

21st March, 2023

No. 368

MINISTRY FOR TRANSPORT, INFRASTRUCTURE AND CAPITAL PROJECTS

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, but not exceeding the limits stipulated in clause 4.4 of this document, shall be issued to the registered owners.

The scheme comes into effect on the 1st of January 2023 and closes on the 31st of December 2023, or until the allocated budget of fifty thousand Euro (€50,000) 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:

'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;

'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 entità kummerċjali stabbilita f'Malta, inkluż persuna li taħdem għal rasha skont il-Liġi Nazzjonali, fundazzjoni 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;

'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.

'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 a commercial entity established in Malta, including a self-employed person in accordance with National Law, a foundation 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' 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 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 3.1;

'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 L' tfisser vettura b'żewġ jew tliet roti jew kwadriċikli li jaqgħu fl-ambitu 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 emendati.

'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;

'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 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 3.1;

'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 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 carriage of passengers, comprising not more than eight (8) 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;

'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.

2. Qasam ta' applikabbiltà

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. Minn 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 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) u kif emendat aktar mir-Regolamanet tal-Kummissjoni (UE) 2022/2514 tal-14 ta' Diċembru 2022 li jemenda r-Regolament (UE) Nru 717/2014 fir-rigward tal-perjodu ta' applikazzjoni tiegħu (ĠU L 326/8, 21.12.2022);

'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. 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) and as further amended by Commission Regulation (EU) 2022/2514 of 14 December 2022 amending Regulation (EU) No 717/2014 as regards its period of application (OJ L 326, 21.12.2022);

(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;

(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

3.1 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 (inkluż id-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 3.2 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-

(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) 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

3.1. 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 3.2 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

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.

3.2 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 VEH 048 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.

3.3 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.

3.4 L-applikazzjonijiet taħt din l-iskema, flimkien mad-dokumenti rilevanti kollha, għandhom jiġu sottomessi mill-applikant matul il-ġranet tax-xogħol bejn is-7.30 a.m. u s-1.00 p.m.jew mibgħuta bil-posta lid-Dipartiment dwar il-Liċenzjar ta' Sewwieqa u Vetturi (DVLU) ta' Transport Malta fuq:

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

b) Malta Transport Centre, Triq il-Pantar, Ħal Lija LJA2021; jew

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

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.

3.2. 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.

3.3. 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.

3.4. Applications under this scheme, together with all the relevant documents, shall be submitted by the applicant during working days between 7.30 a.m. and 1.00 p.m. 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.

4. Eliġibilità

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

4.2 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 L jew M jew N jew SP1;

(c) għandha tkun mgħammra b'sistema ta' propulsjoni elettrika tal-batteriji approvata minn persuna kompetenti;

4.3 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-sigurtà tal-installazzjoni u l-impatt tagħha fuq is-sigurtà ġenerali u l-funzjoni tal-vettura kkonċernata.

4.4 Applikant ikun intitolat għal massimu ta' għotja waħda (1) taħt din l-iskema, u għalhekk għal mhux aktar minn:

(a) Ħamest elef Ewro (€5,000) fil-każ ta' vettura tal-kategorija L;

(b) Għoxrin elf Ewro (€20,000) fil-każ ta' vettura tal-kategorija M1 jew N1;

(c) Erbgħin elf Euro (€40,000) fil-każ ta' vettura tal-Kategorija M2 jew N2; u

(d) Tmenin elf Euro (€80,000) fil-każ ta' vettura tal-Kategorija M3 jew N3 jew SP1.

5. Ħlas ta' Għotja

5.1 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.

5.2 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.

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

4. Eligibility

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

4.2. 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 Category L or M or N or SP1;

(c) shall be equipped with an approved battery electric powertrain installed by a competent person;

4.3. 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.

4.4. An applicant shall be entitled for up to one (1) grant under this scheme, and therefore for not more than:

(a) Five thousand Euro (€5,000) in the case of a Category L vehicle;

(b) Twenty thousand Euro (€20,000) in the case of a Category M1 or N1 vehicle;

(c) Forty thousand Euro (€40,000) in the case of a Category M2 or N2 vehicle; and

(d) Eighty thousand Euro (€80,000) in the case of a Category M3 or N3 or SP1 vehicle.

5. Payment of Grant

5.1. 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.

5.2. 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.

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

(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.

5.4 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.

5.5 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.

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. L-Awtorità m'għandhiex tinżamm responsabbli ta' kwalunkwe telf ta' għotjiet jew opportunitajiet li jirriżultaw mis-sottomissjoni ta' applikazzjoni mhux kompluta jew mhux korretta.

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

(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.

5.4. 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.

5.5. 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. 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. The Authority shall not be held responsible for any loss of grants or opportunities resulting from the submission of an incomplete or incorrect application.

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) ikun ippruvat li s-sistema ta' propulsjoni elettrika tal-batteriji tneħħiet jew inbidlet b'sistema ta' propulsjoni differenti.

8. Tul tal-iskema

8.1 Din l-iskema għandha tibqa' fis-seħħ sal-31 ta' Diċembru 2023, 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.

8.2 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 għandu jkolli d-dritt li jagħmel kwalunkwe emendi għal din l-iskema permezz ta' Avviż fil-Gazzetta tal-Gvern.

10. Talbiet b'qerq

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, il-Ministru responsabbli għat-Trasport 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.

Il-21 ta' Marzu, 2023

Nru. 369

MINISTERU GĦAT-TRASPORT, INFRASTRUTTURA U PROĠETTI KAPITALI

Skema ta' Għotja mill-Gvern, inkluża Skema ta' Skreppjar, għax-xiri ta' Muturi ġodda tal-Kategorija L li jaħdmu bil-Petrol, għal Persuni, Organizzazzjonijiet Volontarji u Impriżi

IL-MINISTERU għat-Trasport, Infrastruttura u Proġetti Kapitali, flimkien mal-Awtorità għat-Trasport f'Malta (Transport Malta) qed jippubblika skema ta' għotjiet finanzjarji mmirata lejn persuni li jgħixu f'Malta, organizzazzjonijiet volontarji, u impriżi stabbiliti f'Malta biex ikompli jippromwovi 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 aktar qodma mit-triq u hija soġġetta

b) it is proven that the electric powertrain was either removed or replaced by a different propulsion system.

8. Duration of scheme

8.1. This scheme shall remain in force until the 31st of December 2023, 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.

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

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 shall report the matter to the Police for criminal procedures to be instituted. In the event of an incorrect payment of a claim, the Minister responsible for Transport 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.

21st March, 2023

No. 369

MINISTRY FOR TRANSPORT, INFRASTRUCTURE AND CAPITAL PROJECTS

Government Grant Scheme, including Scrappage Scheme, for the purchase of New Category L Petrol Motorcycles for Persons, 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, 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

għall-kundizzjonijiet stipulati f'dan id-dokument. L-għotja għandha tappoġġja x-xiri ta' mopeds , muturi, triċikli u kwadriċikli ġodda li jaħdmu bil-petrol.

L-għotja tinkludi skema ta' skreppjar 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 tal-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 2023** u hija fuq bażi ta' min jiġi l-ewwel jinqeda l-ewwel. Din l-iskema għandha tibqa' fis-seħħ sal-**31 ta' Diċembru 2023** jew sakemm il-baġit allokat ikun eżawrit, sakemm ma tkunx modifikata jew mitmuma qabel b'Avviż fil-Gazzetta tal-Gvern.

Il-baġit allokat għal din l-iskema jammonta għal miljun u tlett mitt elf ewro (€1,300,000).

L-Iskema

1. Interpretazzjoni

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

'applikant' tfisser il-persuna residenti f'Malta, 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 tal-vettura' 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 entità kummerċjali stabbilita f'Malta, inkluż persuna li taħdem għal rasha skont il-Liġi Nazzjonali, fondazzjoni jew 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;

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 2023** and is on a first come first served basis. This grant shall remain in force until the **31st of December 2023** or until the allocated budgeted funds are exhausted unless modified or terminated beforehand by a Notice in the Government Gazette.

The allocated budget for this scheme amounts to one million and three hundred thousand Euro (€1,300,000).

The Scheme

1. Interpretation

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

'applicant' means the person residing in Malta, 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 a business entity established in Malta, including a self-employed person in accordance with National Law, a foundation 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;

'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;

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 fl-istatut ta' assoċjazzjoni tagħha;

d) intrapriża waħda, li hija azzjonista fi jew membru ta' intrapriża oħra, tikkontrolla waħidha, 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.

'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.

'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 reġistrata għall-ewwel darba f'Malta;

'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' tfisser il-Gżejjer Maltin;

'Malta' means the Maltese Islands;

'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;

'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;

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

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

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

'voluntary organisation' has the same meaning given to it in the Voluntary Organisations Act (Cap. 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 oħra tal-Identità (Kap. 258) jew li għandha permess ta' residenza jew ittra maħruġa mill-uffiċċju għall-espatrijati fil-Ministeru għall-Intern, is-Sigurtà Nazzjonali u l-Infurzar tal-Liġi;

'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;

'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

'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 fl-Artikolu 5(a) u (b) tar-Regolament (UE) Nru 1379/2013;

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

'tneħħija mir-reġistrazzjoni' tfisser, għall-finijiet ta' din l-skema, it-tneħħija permanenti ta' vettura mir-reġistrazzjoni tagħha minn mal-Awtorità għat-Trasport f'Malta u wara, dik il-vettura ma għandha qatt terġa' tiġi reġistrata 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 mill-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 tal-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' ġġorr 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, organizzazzjoni volontarja, jew impriża stabbilita f'Malta li tixtri l-vettura minn pajjiż ieħor jew mingħand l-aġent jew in-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, organizzazzjoni volontarja, jew impriża stabbilita f'Malta.

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, voluntary organisation or undertaking on whose name a vehicle is registered by the Authority;

'de-registeration' 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, 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, voluntary organisation, or undertaking established in 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 m'għandux jaqbeż il-prezz tax-xiri tal-mutur ġdid tal-Kategorija L li jaħdem bil-petrol.

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 reġistrata, kif muri fit-Tabella 1 tal-Anness.

2.4.2. Applikazzjoni għal għotja minn persuni residenti f'Malta u organizzazzjonijiet volontarji li ma jwettqux attività ekonomika skont it-tifsira 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 organizzazzjonijiet volontarji li ma jwettqux attività ekonomika skont it-tifsira 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 skont it-tifsira tal-Artikolu 107 TFUE

a) Applikanti li huma organizzazzjonijiet volontarji li jwettqu attività ekonomika huma intitolati li jirċievu massimu ta' ħames (5) għotjiet taħt din l-iskema.

b) Applikanti li huma impriżi stabbiliti f'Malta huma intitolati li jirċievu massimu ta' ħames (5) 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 applikabbli dwar l-għajnuna mill-Istat huma spjegati fit-taqsima 2.6 ta' dan id-dokument.

2.5. Skema ta' Skreppjar

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 reġistrata 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.

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. 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 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 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 five (5) grants under this scheme.

b) Applicants who are undertakings established in Malta are entitled to receive a maximum of five (5) 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) Għotjiet għall-iskreppjar maħruġa taħt din it-taqsima lil impriżi stabbiliti f'Malta jew organizzazzjonijiet volontarji li jwettqu attività ekonomika skont it-tifsira tal-Artikolu 107 TFUE huma soġġetti għal regoli dwar l-għajnuna mill-Istat skont 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 skont it-tifsira tal-Artikolu 107 TFUE u applikazzjonijiet għal għotjiet għall-iskreppjar minn impriżi jew organizzazzjonijiet volontarji li jwettqu attività ekonomika skont it-tifsira 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 għal 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) u kif emendat aktar mir-Regolamanet tal-Kummissjoni (UE) 2022/2514 tal-14 ta' Diċembru 2022 li jemenda r-Regolament (UE) Nru 717/2014 fir-rigward tal-perjodu ta' applikazzjoni tiegħu (ĠU L 326/8, 21.12.2022);

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).

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 *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) and as further amended by Commission Regulation (EU) 2022/2514 of 14 December 2022 amending Regulation (EU) No 717/2014 as regards its period of application (OJ L 326, 21.12.2022);

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).

Fil-każ ta' applikazzjoni minn impriża jew organizzazzjoni volontarja li twettaq attività ekonomika skont it-tifsira 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 minimis mogħtija lil impriża waħda m'għandux jaqbeż il-limiti massimi 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* mogħti 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 waħidhom 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 massimu applikabbli stabbilit se jkollha tiġi rkuprata, bl-imgħax, mingħand l-impriża li tirċievi l-għajnuna.

L-applikanti kollha li huma impriża jew organizzazzjonijiet volontarji li jwettqu attività ekonomika skont it-tifsira 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 070 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' skreppjar, ċertifikat tal-qerda maħruġ minn faċilità ta' qerda

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 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 070 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

awtorizzata li tiċċertifika li l-vettura li tkun qed titneħħa mir-reġistrazzjoni ġiet meqruda fil-faċilità ta' qerda awtorizzata;

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.

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-7.30 a.m. u s-1.00 p.m. jew mibgħuta bil-posta lid-Dipartiment dwar il-Liċenzjar ta' Sewwieqa u Vetturi ta' Transport Malta f'wieħed mill-indirizzi t'hawn taħt:

a) L-ewwel Livell, 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, inklużа 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 reġistrat għandu:

a) ikun ġdid;

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

c) ikun liċenzjat għall-użu fit-triq mill-applikant.

4.3. Biex tikkwalifika għall-iskema ta' skreppjar, il-vettura bil-mutur li trid tiġi mneħħija mir-reġistrazzjoni għandha:

a) Ikollha mill-inqas għaxar (10) snin fid-data tal-applikazzjoni, l-età tal-vettura tiġi determinata bħala s-sena kalendarja fid-data tal-applikazzjoni wara li titnaqqas is-sena tal-manifattura kif iċċertifikat fuq iċ-ċertifikat tar-reġistrazzjoni tal-vettura u trid tkun tneħħiet mir-reġistrazzjoni wara l-1 ta' Jannar 2022;

facility certifying that the vehicle which is being scrapped has been destructed in the approved destruction facility;

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.

3.3. Applications under this scheme, together with all the relevant documents, shall be submitted by the applicant during working days between 7.30 a.m. and 1.00 p.m. 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.

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 use on the road by the applicant.

4.3. To qualify for the scrappage scheme, 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's registration certificate and must be deregistered after the 1st January 2022;

b) tkun reġistrata u ggaraxxjata jew liċenzjata 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' skreppjar;

4.4. Persuni li rċevew mill-għotjiet għar-reġistrazzjoni ta' muturi ġodda li jaħdmu bil-petrol fl-2021 u/jew 2022 MHUMIEX eliġibbli għal din l-iskema.

4.5. Impriżi stabbiliti f'Malta jew organizzazzjonijiet volontarji li rċevew għotjiet għar-reġistrazzjoni ta' muturi ġodda li jaħdmu bil-petrol fl-2021 u/jew 2022 jistgħu japplikaw biss għal din l-iskema jekk irċevew inqas minn 5 għotjiet b'kollox matul dawn is-sentejn. Il-kwantità ta' applikazzjonijiet preżentati f'dawn il-każijiet ghandha tkun limitata sabiex għotjiet aggregati riċevuti minn tali applikanti għall-2021, 2022 u 2023 ma jaqbżux il-5 għotjiet.

5. Ħlas ta' Għotja

5.1. Fejn applikant jikkwalifika għal għotja, tali 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 tali għotja tkun għadha disponibbli.

6. Validità tal-applikazzjoni

6.1. Applikazzjoni m'għandhiex titqies li ġiet sottomessa mill-applikant sakemm ma timteliex bis-sħiħ u tkun akkumpanjata mid-dokumenti rilevanti kollha. Jekk l-applikazzjoni ma timteliex tajjeb u d-dokumenti rilevanti ma jkunux inklużi, it-talba għall-għotja m'għandhiex tiġi pproċessata sakemm tingħata l-informazzjoni nieqsa. L-Awtorità m'għandhiex tinżamm responsabbli ta' kwalunkwe telf ta' għotjiet jew opportunitajiet li jirriżultaw mis-sottomissjoni ta' applikazzjoni mhux kompluta jew mhux korretta.

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

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.

4.4. Persons who have received grants for the registration of new petrol motorcycles in 2021 and/or 2022 are NOT eligible for this scheme.

4.5. Undertakings established in Malta or voluntary organisations that have received grants for the registration of new petrol motorcycles in 2021 and 2022 may apply for this scheme only if they received less than 5 grants in aggregate over these 2 years. The quanity of applications submitted in these cases shall be limited so that the aggregate grants received by such applicants for 2021, 2022 and 2023 does not exceed 5 grants.

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. The Authority shall not be held responsible for any loss of grants or opportunities resulting from the submission of an incomplete or incorrect application.

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

għal din l-iskema. L-applikazzjonijiet preċedenti kollha fil-format l-antik ma jiġux aċċettati għal din l-għotja.

7. Rifużjoni tal-għotja

7.1. Kull mutur ġdid tal-kategorija L li jaħdem bil-petrol mixtri mill-applikant taħt din l-għotja għandu jibqa' reġistrat f'isem l-applikant għal perjodu ta' mill-inqas sitta u tletin (36) xahar mid-data tal-ewwel reġistrazzjoni. Jekk is-sid reġistrat 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 xi 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.

7.2. Kull mutur ġdid tal-kategorija L li jaħdem bil-petrol mixtri mill-applikant taħt din l-għotja m'għandux ikun modifikat b'tali mod li l-kategorija tal-vettura tinbidel għal kategorija ġdida li għaliha l-għotjiet mhumiex disponibbli taħt din l-iskema. Jekk is-sid reġistrat ta' mutur ġdid tal-kategorija L li jaħdem bil-petrol li għalih tinħareġ għotja taħt din l-iskema jimmodifika l-vettura b'dan il-mod, allura dik il-persuna għandha tirrifondi l-għotja li tkun irċeviet mingħand Transport Malta. L-ebda applikazzjoni ġdida għal għotja ma tiġi aċċettata jekk dak l-istess mutur tal-kategorija L li jaħdem bil-petrol imbagħad ikun modifikat lura għall-kategorija oriġinali tiegħu.

8. Tul ta' żmien tal-iskema

8.1. Din l-iskema għandha tibqa' fis-seħħ sal-31 ta' Diċembru 2023 jew sakemm ikun eżawrit il-baġit allokat, sakemm ma tiġix modifikata jew mitmuma qabel b'Avviż fil-Gazzetta tal-Gvern. Minkejja dan, il-Gvern jista' jtemm jew jestendi l-iskema fi kwalunkwe ħin permezz ta' avviż minn qabel.

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

9. Emendi lill-iskema

9.1. Il-Ministru responsabbli għat-Trasport, Infrastruttura u Proġetti Kapitali għandu jkollu d-dritt li jagħmel xi emendi lil 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

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 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.

7.2. Any new category L petrol motorcycle purchased by the applicant under this grant shall not be altered in such a way that the category of the vehicle changes to a new category for which grants are not available under this scheme. If the registered owner of a category L petrol motorcycle for which a grant is issued under this scheme alters the vehicle in such a way, then that person shall refund the grant received from Transport Malta. No new grant applications will be accepted if that same category L petrol motorcycle is then altered back to its original category.

8. Duration of scheme

8.1. This scheme shall remain into force until the 31st of December 2023 or until the allocated budget is 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

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 tal-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

	Tip ta' vettura	Sottokategorija tal-Vettura	Ammont tal-għotja
1	- Roti motorizzati; - Mopeds b'żewġ roti; - Mopeds bi tliet roti għat-trasport tal-passiġġieri jew għal skopijiet ta' utilità; - Kwadriċikli ħfief jew kwadrimobbli.	· L1e-A · L1e-B · L2e · L6e	€1,000
2	- Mutur ta' prestazzjoni baxxa; - Mutur b'żewġ roti ta' prestazzjoni baxxa b' sidecar. - Triċiklu mħaddem b'qawwa li ma taqbiżx il-15kW.	· L3e-A1 · L4e-A1 · L5e	
3	- Mutur ta' prestazzjoni medja; - Mutur b'żewġ roti ta' prestazzjoni medja b'sidecar.;	· L3e-A2 · L4e-A2	€750
	- Triċiklu mħaddem b'qawwa li taqbeż il-15kW imma ma taqbiżx il-35kW.	· L5e	

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

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

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

	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 · L1e-B · L2e · L6e	€1,000
2	- Low performance motorcycle; - Low-performance two-wheel motorcycle with sidecar. - Powered Tricycle with power not exceeding 15kW.	· L3e-A1 · L4e-A1 · L5e	
3	- Medium performance motorcycle; - Medium-performance two-wheel motorcycle with side-car;	· L3e-A2 · L4e-A2	€750
	- Powered Tricycle with power exceeding 15kW but not exceeding 35kW.	· L5e	

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**.

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.

	Kategorija tal-Vettura Skreppjata	*Ammont tal-Għotja*
1	L (Muturi)	€500
2	M1 (Karozza) jew N1 (Vann)	€1,000

NOTA: Ir-regoli *de minimis* u l-limiti massimi rispettivi tagħhom japplikaw meta jinħarġu għotjiet għall-iskreppjar lil **impriżi stabbiliti f'Malta** jew **organizzazzjonijiet volontarji li jwettqu kwalunkwe attività ekonomika skont it-tifsira tal-Artikolu 107 TFUE**.

Il-21 ta' Marzu, 2023

Nru. 370

MINISTERU GĦAT-TRASPORT, INFRASTRUTTURA U PROĠETTI KAPITALI

Skema ta' Għotja, inkluża Skema ta' skreppjar, għax-xiri ta' Vetturi Elettriċi użati tal-Kategorija L, M1 u N1, u l-konverżjoni ta' roti għal pedelecs, għal Persuni

IL-MINISTERU għat-Trasport, Infrastruttura, u Proġetti Kapitali flimkien mal-Awtorità għat-Trasport f'Malta (Transport Malta) qed jippubblika skema ta' għotja finanzjarja mmirata għal persuni residenti f'Malta, sabiex tkompli tippromwovi l-użu ta' vetturi elettriċi użati tal-Kategorija L, M1 u N1. Din l-iskema qed tippromwovi wkoll il-konverżjoni ta' roti għal pedelecs.

L-iskema għandha l-għan li tnaqqas l-ammont ta' vetturi bil-mutur konvenzjonali aktar qodma mit-triq u hi soġġetta għall-kundizzjonijiet stipulati f'dan id-dokument. L-għotja tappoġġja x-xiri ta' karozzi tal-passiġġieri, vetturi ħfief għall-ġarr tal-merkanzija, kwadriċikli u muturi, u l-konverżjoni ta' roti għal pedelecs.

L-għotja tinkludi skema ta' skreppjar maħsuba biex tipprovdi aktar appoġġ finanzjarju lill-applikanti li, filwaqt li jixtru u jirreġistraw vettura elettrika jew pedelec ġdida, ineħħu mir-reġistrazzjoni vettura ta' kwalunkwe kategorija li jkollha aktar minn 10 snin mis-sena tal-manifattura tagħha.

L-għotja hija meqjusa li daħlet fis-seħħ fl-1 ta' Jannar 2023, hija fuq bażi ta' min jiġi l-ewwel jinqeda l-ewwel u għandha tibqa' fis-seħħ sal-31 ta' Diċembru 2023 jew sakemm il-baġit allokat jiġi eżawrit.

L-ISKEMA

1. Interpretazzjoni

Għall-fini ta' din l-għotja, sakemm il-kuntest ma jeħtiġx mod ieħor:

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

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

21st March, 2023

No. 370

MINISTRY FOR TRANSPORT, INFRASTRUCTURE AND CAPITAL PROJECTS

Grant Scheme, including Scrappage Scheme, for the purchase of used Electric Vehicles in Category L, M1 and N1, and the conversion of bicycles to pedelecs, for Persons

THE Ministry for Transport, Infrastructure, and Capital Projects in conjunction with the Authority for Transport in Malta (Transport Malta) is publishing a financial grant scheme aimed at persons residing in Malta to further promote the uptake of used electric vehicles in Category L, M1 and N1. This scheme is also promoting the conversion of bicycles into pedelecs.

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 passenger cars, light goods carrying vehicles, quadricycle and motorcycles, and the conversion of bicycles to pedelecs.

The grant includes a scrappage scheme intended to provide further financial support to applicants who, while purchasing and registering a used electric vehicle, deregister a vehicle of any category 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 2023, is on a first come first served basis, and shall remain into force until the 31st of December 2023 or until the allocated budget is exhausted.

THE SCHEME

1. Interpretation

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

'applikant' tfisser il-persuna residenti f'Malta li tapplika għall-għotja taħt din l-iskema, u li tkun ix-xerrej ta' vettura elettrika użata tal-Kategorija L jew M1 jew N1 jew pedelec, jew sid ta' rota kif definiti hawn;

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

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

'ċertifikat tar-reġistrazzjoni tal-vettura' tfisser iċ-ċertifikat tar-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 taħt il-liġijiet ta' Malta (Kap. 368);

'faċilità ta' trattament awtorizzata' tfisser faċilità awtorizzata biex teqred vetturi u toħroġ ċertifikati tal-qerda, f'konformità mar-Regolamenti dwar l-Immaniġġjar ta' Skart (Vetturi fi Tmiem Żmienhom) - L.S. 549.36;

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

'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 reġistrata għall-ewwel darba f'Malta;

'Malta' tfisser il-gżejjer Maltin.

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

'pedelec' tfisser rota li taħdem bil-pedali u bl-elettriku u li l-mutur tagħha jiġi attivat immedjatament kif is-sewwieq jibda jdawwar il-pedala u jitwaqqaf hekk kif is-sewwieq ma jibqax idawwar il-pedala, u li tista' tilħaq veloċità massima ta' 25km/h;

'pedelec tal-merkanzija' tfisser pedelec li jista' jġorr mill-inqas 100kg ta' merkanzija minbarra s-sewwieq;

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

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

'rota' tfisser vettura li tikkonsisti f'żewġ roti miżmuma f'qafas waħda wara l-oħra, immexxija minn pedali u gwidati minn manubriji mwaħħla mar-rota ta' quddiem.

'applicant' means the person residing in Malta applying for the grant under this scheme, and is the purchaser of a used electric vehicle in Category L or M1 or N1 or pedelec, or the owner of a bicycle as defined here;

'application' means the application made for a grant 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);

'authorised treatment facility' means a facility authorised to destroy vehicles and issue certificates of destruction, in compliance with the Waste Management (End of Life Vehicles Regulations) - S.L. 549.36;

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

'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;

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

'pedelec' means a pedal electric bicycle whose electric motor is activated as soon as the rider starts pedalling and is deactivated as soon as the rider stops pedalling, and which can reach a maximum speed of 25km/h;

'cargo pedelec' means a pedelec which can carry at least 100kg of cargo excluding the driver;

'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;

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

'bicycle' means a vehicle consisting of two wheels held in a frame one behind the other, propelled by pedals and steered with handlebars attached to the front wheel.

'tneħħija mir-reġistrazzjoni' tfisser, għall-fini ta' din l-iskema, 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-registeration' 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' 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 elettrika' tfisser vettura li hija mħaddma esklussivament b'muturi elettriċi li jużaw enerġija elettrika maħżuna f'batteriji li huma ċċarġjati minn sors tal-elettriku estern;

'electric vehicle' means a vehicle which is powered exclusively by electric motors using electrical energy stored in batteries which are charged from an external electricity source;

'vettura elettrika użata' tfisser vettura elettrika li kienet reġistrata qabel fi kwalunkwe pajjiż.

'used electric vehicle' means an electric vehicle that was registered before in any country;

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

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

'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 emendati.

'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.

'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;

'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 tal-merkanzija u li għandha massa massima li ma taqbiżx it-tliet tunnellati u nofs (3.5);

'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;

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

'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;

'xerrej' tfisser persuna residenti f'Malta, organizzazzjoni volontarja, jew impriża stabbilita f'Malta li tixtri l-vettura minn pajjiż ieħor jew mill-aġent jew negozjant lokali, li jkollu dik il-vettura reġistrata f'ismu u li jkun l-applikant għall-għotja taħt din l-iskema;

'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. Għal min tapplika l-iskema

2. Area of Applicability

2.1. L-iskema għal għotja finanzjarja għax-xiri ta' vetturi elettriċi użati tal-kategoriji L jew M1 jew N1, u għall-konverżjoni ta' roti għal pedelecs, kif definit hawn fuq, tapplika għal kull persuna residenti f'Malta.

2.1. The scheme for a financial grant for the purchase of used electric vehicles in category L or M1 or N1, and for the conversion of bicycles to pedelecs, as defined above, applies to any person residing in Malta.

2.2. L-iskema tippermetti taħlita ta' xiri ta' vetturi elettriċi użati, konverżjoni ta' roti għal pedelecs, u bdil ta' vetturi antiki.

2.2. The scheme allows a mix and match of purchase of used electric vehicles, the conversion of bicycles to pedelecs, and the replacement of old vehicles.

2.3. L-ammont totali tal-għotja maħruġ lill-applikanti għal dawn l-għotjiet m'għandux jaqbeż il-prezz tax-xiri tal-vettura elettrika, jew il-prezz tal-konverżjoni tar-rota għal pedelec.

2.4. L-ammonti tal-għotja applikabbli għax-xiri ta' vetturi elettriċi użati tal-kategorija L jew M1 jew N1 għandhom ivarjaw skont il-kategorija tal-vettura li tkun qed tiġi reġistrata, kif muri fit-Tabella 1 tal-Anness.

2.5. L-ammonti tal-għotja applikabbli għal konverżjoni ta' roti għal pedelecs għandu jkun €400.

2.6. Skema ta' Skreppjar

a) Fil-każ ta' applikazzjoni għal għotja li tinvolvi t-tneħħija mir-reġistrazzjoni ta' vettura eżistenti, l-applikant għandu jneħħi r-reġistrazzjoni ta' vettura tal-kategorija L jew M1 jew N1 li għandha mill-inqas 10 snin mis-sena tal-manifattura u li tkun reġistrata f'isem l-applikant fil-ġurnata tat-tneħħija mir-reġistrazzjoni tagħha, u li tkun tneħħiet mir-reġistrazzjoni fl-1 ta' Jannar 2022 jew wara.

b) L-ammonti ta' 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.

3. Kif għandha ssir l-applikazzjoni u dokumenti ta' sostenn

3.1. Applikazzjoni għal għotja għax-xiri ta' vettura elettrika użata tal-kategorija L jew M1 jew N1 għandha ssir jew mill-aġent/negozjant/fornitur jew mix-xerrej, billi jissottometti l-formola tal-applikazzjoni VEH077 flimkien ma' kwalunkwe informazzjoni, dettalji u dokumenti meħtieġa fiha. Ix-xerrej tal-vettura għandu jitqies bħala l-applikant aħħari skont din l-iskema.

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

3.3. Applikazzjoni għal għotja għall-konverżjoni ta' rota għal pedelec għandha ssir jew mill-aġent/negozjant/fornitur jew mix-xerrej billi jissottometti l-formola tal-applikazzjoni VEH077 flimkien ma' kwalunkwe informazzjoni, dettalji u dokumenti meħtieġa fiha. Is-sid tar-rota għandu jitqies bħala l-applikant aħħari f'termini ta' din l-iskema. L-applikazzjonijiet għandhom ikunu akkumpanjati minn rapport maħruġ, iffirmat u ttimbrat minn inġinier bil-warrant li jiċċertifika li r-rota kkonvertita tikkonforma mal-Istandard EN 15194:2017, jew ekwivalenti.

3.4. L-applikazzjonijiet taħt din l-iskema, flimkien mad-dokumenti rilevanti kollha, għandhom jiġu sottomessi

2.3. The total grant amount issued to applicants for these grants shall not exceed the purchase price of the used electric vehicle, or the price for the conversion of the bicycle to a pedelec.

2.4. The grant amounts applicable for the purchase of used electric vehicles in category L or M1 or N1 shall vary depending on the category of vehicle being registered, as shown in Table 1 of the Annex.

2.5. The grant amount applicable for the conversion of bicycles to pedelecs shall be €400.

2.6. 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, and which was deregistered on the 1st of January 2022 or after.

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.

3. Manner of application and supporting documents

3.1. An application for a grant for the purchase of used electric vehicles in category L or M1 or N1 shall be made either by the agent/dealer/supplier or by the purchaser by submitting application form VEH077 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. 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 an approved destruction facility;

3.3. An application for a grant for the conversion of a bicycle to a pedelec shall be made either by the agent/dealer/supplier or by the purchaser by submitting application form VEH 077 along with any information, details and documents required therein. The owner of the bicycle shall be considered as the ultimate applicant in terms of this scheme. Applications shall be accompanied by a report issued, signed, and stamped by a warranted engineer certifying that the converted bicycle complies with EN Standard 15194:2017, or equivalent.

3.4. Applications under this scheme, together with all the relevant documents, shall be submitted by the applicant

mill-applikant matul il-ġranet tax-xogħol bejn is-7.30 a.m. u s-1.00 p.m. jew mibgħuta bil-posta lid-Dipartiment dwar il-Liċenzjar ta' Sewwieqa u Vetturi (DVLU) ta' Transport Malta f'wieħed mill-indirizzi t'hawn taħt:

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

b) Malta Transport Centre, Triq il-Pantar, Ħal Lija LJA2021; jew

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

4. Eliġibbiltà

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

4.2. Biex tikkwalifika għall-għotjiet, il-vettura elettrika użata tal-Kategorija L jew M1 jew N1 li tkun qed tiġi rreġistrata jeħtieġ li:

a) ma tkunx ġiet reġistrata f'Malta qabel l-1 ta' Jannar 2022;

b) tkun liċenzjata għal użu privat.

4.3. Biex tikkwalifika għall-iskema ta' skreppjar, il-vettura bil-mutur li trid tiġi mneħħija mir-reġistrazzjoni jeħtieġ li:

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 mingħajr is-sena tal-manifattura kif iċċertifikata fuq iċ-ċertifikat tar-reġistrazzjoni tal-vettura

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

c) tkun ġiet imneħħija mir-reġistrazzjoni mhux qabel l-1 ta' Jannar 2022;

d) 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 iċ-ċertifikat tal-qerda.

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

4.4. Biex tikkwalifika għall-iskema għall-konverżjoni ta' roti għal pedelecs, ir-rota kkonvertita għandha tikkonforma mal-Istandard EN 15194:2017, jew standard ekwivalenti. Fejn

during working days between 7.30 a.m. and 1.00 p.m. 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.

4. Eligibility

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

4.2. To qualify for the grants, the used electric vehicle in category L or M1 or N1 being registered shall:

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

b) be licensed for private use.

4.3. To qualify for the scrappage scheme, 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's registration certificate;

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

c) have been de-registered not before 1st January 2022;

d) 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.

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

4.4. To qualify for the scheme for the conversion of bicycles to pedelecs, the converted bicycle shall comply with EN Standard 15194:2017, or an equivalent standard. Where an

jiġi kkwotat standard ekwivalenti, l-applikant għandu juri jew jipprova tali ekwivalenza għas-sodisfazzjon tal-Awtorità.

5. Ħlas tal-Għotja

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

5.2. L-għotja mogħtija lix-xerrej ma għandhiex tiġi evalwata 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) jbigħ il-vettura fis-suq tal-vetturi użati wara li jgħaddi l-perjodu msemmi fit-Taqsima 7, is-sid il-ġdid tal-istess vettura jew pedelec 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 timteliex bis-sħiħ u tkun akkumpanjata mid-dokumenti rilevanti kollha. Jekk l-applikazzjoni ma timteliex tajjeb u d-dokumenti rilevanti mhumiex inklużi, it-talba għall-għotja m'għandhiex tiġi pproċessata sakemm tingħata l-informazzjoni nieqsa. L-Awtorità m'għandhiex tinżamm responsabbli ta' kwalunkwe telf ta' għotjiet jew opportunitajiet li jirriżultaw mis-sottomissjoni ta' applikazzjoni mhux kompluta jew mhux korretta.

7. Rifużjoni tal-għotja

7.1. Kwalunkwe vettura elettrika użata fil-kategorija L jew M1 u N1 mixtrija mill-applikant taħt din l-għotja għandha tibqa' reġistrata f'isem l-applikant għal perjodu ta' mill-inqas sitta u tletin (36) xahar mid-data tal-ewwel reġistrazzjoni. Jekk is-sid reġistrat tal-vettura elettrika użata li fuqha tkun inħarġet għotja taħt din l-iskema jittrasferixxi l-imsemmija vettura lil terza persuna, għal kwalunkwe raġuni għajr trasferiment causa mortis lil xi werriet, qabel ma jiskadi l-perjodu msemmi hawn fuq, dik il-persuna għandha tħallas lura l-għotja li tkun irċeviet mingħand Transport Malta. F'każijiet bħal dawn, jiġifieri, meta l-vettura terġa' tinbiegħ u l-għotja tiġi rimborsata lura mis-sid oriġinali, ix-xerrej il-ġdid jista' japplika għall-iskema ta' għotja relatata max-xiri ta' vetturi elettriċi użati fil-kategorija L jew M1 jew N1, jekk skema bħal din tkun disponibbli dak iż-żmien.

8. Tul ta' żmien tal-iskema

8.1. L-għotjiet għar-reġistrazzjoni ta' Vetturi Elettriċi Użati, elenkati fit-Tabella 1 tal-Anness A, għandhom jibqgħu fis-seħħ kif ġej sal-31 ta' Diċembru 2023. Il-fondi bbaġitjati għal din l-iskema jammontaw għal ħames mitt elf Ewro (€500,000).

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

equivalent standard is quoted, the applicant shall demonstrate or prove such equivalence to the Authority's satisfaction.

5. Payment of Grant

5.1. Where an applicant qualifies for the grant, the grant shall be paid directly to the 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. The Authority shall not be held responsible for any loss of grants or opportunities resulting from the submission of an incomplete or incorrect application.

7. Refunding of grant

7.1. Any used electric vehicles in category L or M1 and N1 purchased by the applicant under this grant 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 the used electric vehicle 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, before the expiry of the above-mentioned period, 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 used electric vehicles in category L or M1 or N1, if such a scheme is available at that time.

8. Duration of scheme

8.1. The grants for the registration of Used Electric Vehicles, listed in Table 1 of Annex A, shall remain into force as follows until the 31st of December 2023. The budgeted funds for this scheme amount to five hundred thousand Euro (€500,000).

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. Emendi lill-iskema

9.1. Il-Ministru responsabbli għat-Trasport, Infrastruttura u Proġetti Kapitali għandu jkollu d-dritt li jagħmel kwalunkwe emenda 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 żbaljat ta' talba, il-Ministru responsabbli għat-Trasport 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 tal-għotja applikabbli għax-xiri ta' vetturi elettriċi użati tal-kategorija L, jew M1 jew N1.

Tabella 1: Ammonti tal-għotja li għandhom jitħallsu għal kull vettura elettrika użata fil-kategorija M1 u N1 mixtrija, soġġetti għall-kriterji ta' eliġibblità stipulati f'dan id-dokument.

	Kategorija tal-vettura użata	☐ Iktar minn jum, U ☐ Mhux iktar minn 3 xhur.	☐ Iktar minn 3 xhur, U ☐ Mhux iktar minn 6 xhur.	☐ Iktar minn 6 xhur, U ☐ Mhux iktar minn 36 xahar.	☐ Iktar minn 36 xahar, U ☐ Mhux iktar minn 60 xahar.
	Category of Used Vehicle	☐ *Older than 1 day, AND* ☐ *Not older than 3 months.*	☐ *Older than 3 months, AND* ☐ *Not older than 6 months.*	☐ *Older than 6 months, AND* ☐ *Not older than 36 months.*	☐ *Older than 36 months, AND* ☐ *Not older than 60 months.*
1	**L**	€1,000	€750	€400	€200
2	**M1 jew/*or* N1**	€8,000	€6,000	€3,000	€1,000

Tabella 2: Ammonti tal-għotja li għandhom jitħallsu meta vettura tiġi skreppjata flimkien ma' kwalunkwe għotja oħra għax-xiri ta' vetturi elettriċi użati fil-kategorija L, M u N.

	Kategorija tal-Vettura Skreppjata *Category of Scrapped Vehicle*	Post tar-Reġistrazzjoni tal-Vettura Skreppjata *Place of Registration of Scrapped Vehicle*	
		Malta ***Malta***	**Għawdex*** ***Gozo****
1	L	€500	€500
2	M1 jew/*or* N1	€1,000	€2,000

*Il-vettura trid tkun ġiet reġistrata, iggaraxxjata jew liċenzjata f'Għawdex qabel il-11 ta' Ottubru 2021.

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

11. 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 Minister responsible for Transport 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 used electric vehicles in category L or M1 or N1.

Table 1: Grant amounts to be paid for each used electric vehicle in category M1 and N1 purchased, subject to eligibility criteria stipulated in this document.

	Kategorija tal-vettura użata	☐ Iktar minn jum, U ☐ Mhux iktar minn 3 xhur.	☐ Iktar minn 3 xhur, U ☐ Mhux iktar minn 6 xhur.	☐ Iktar minn 6 xhur, U ☐ Mhux iktar minn 36 xahar.	☐ Iktar minn 36 xahar, U ☐ Mhux iktar minn 60 xahar.
	Category of Used Vehicle	☐ *Older than 1 day, AND* ☐ *Not older than 3 months.*	☐ *Older than 3 months, AND* ☐ *Not older than 6 months.*	☐ *Older than 6 months, AND* ☐ *Not older than 36 months.*	☐ *Older than 36 months, AND* ☐ *Not older than 60 months.*
1	**L**	€1,000	€750	€400	€200
2	**M1 jew/*or* N1**	€8,000	€6,000	€3,000	€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 used electric vehicles in category L, M and N.

	Kategorija tal-Vettura Skreppjata *Category of Scrapped Vehicle*	Post tar-Reġistrazzjoni tal-Vettura Skreppjata *Place of Registration of Scrapped Vehicle*	
		Malta ***Malta***	**Għawdex*** ***Gozo****
1	L	€500	€500
2	M1 jew/*or* N1	€1,000	€2,000

*Vehicle must have been registered, garaged or licensed in Gozo prior to the 11th of October 2021.

Nru. 371

MINISTERU GĦAT-TRASPORT, INFRASTRUTTURA U PROĠETTI KAPITALI

Skema ta' għotjiet tal-Gvern, inkluża skema tal-iskrappjar, għax-xiri ta' Vetturi Elettriċi fil-Kategorija L, M u N u Pedelecs ġodda, għal Persuni, Organizzazzjonijiet Volontarji u Impriżi

IL-MINISTERU għat-Trasport, Infrastruttura, u Proġetti Kapitali flimkien mal-Awtorità għat-Trasport f'Malta (Transport Malta) qed jippubblika skema ta' għotjiet finanzjarji mmirati għal persuni residenti f'Malta, organizzazzjonijiet volontarji, u impriżi stabbiliti f'Malta, sabiex tkompli tippromwovi l-użu ta' vetturi elettriċi fil-kategorija L, M u N u pedelecs ġodda. Din l-għotja tapplika wkoll għal vetturi bi skop speċjali.

L-iskema għandha l-għan li tnaqqas l-ammont ta' vetturi qodma bil-mutur konvenzjonali mit-triq u hi soġġetta għall-kundizzjonijiet stipulati f'dan id-dokument. L-għotjiet jappoġġjaw ix-xiri ta' karozzi tal-passiġġieri, vetturi għall-ġarr tal-merkanzija, minibuses, kowċis, kwadriċikli, muturi u pedelecs ġodda.

L-għotjiet jinkludu skema tal-iskrappjar maħsuba biex tipprovdi aktar appoġġ finanzjarju lill-applikanti li, filwaqt li jixtru u jirreġistraw vettura elettrika jew pedelec ġdida, ineħħu mir-reġistrazzjoni vettura ta' kwalunkwe kategorija li jkollha aktar minn 10 snin mis-sena tal-manifattura tagħha.

L-iskema hija meqjusa li daħlet fis-seħħ mill-1 ta' Jannar 2023 u hija fuq bażi ta' min jiġi l-ewwel jinqeda l-ewwel. Din l-iskema għandha tibqa' fis-seħħ sal-31 ta' Diċembru 2023 jew sakemm il-fondi bbaġitjati jiġu eżawriti, sakemm ma jiġux modifikati jew mitmuma minn qabel b'Avviż fil-Gazzetta tal-Gvern.

Il-fondi bbaġitjati għal din l-iskema jammontaw għal ħmistax-il miljun ewro (€15,000,000). Din l-għotja qed tkun iffinanzjata permezz tal-Pjan għall-Irkupru u r-Reżiljenza ta' Malta.

L-ISKEMA

1. Interpretazzjoni

Għall-fini ta' dawn l-għotjiet, sakemm il-kuntest ma jeħtieġx mod ieħor:

'applikant' tfisser il-persuna residenti f'Malta, organizzazzjoni volontarja, jew impriża stabbilita f'Malta li tapplika għall-għotja taħt din l-iskema, u li tkun ix-xerrej ta' vettura elettrika ġdida tal-Kategorija L jew M jew N, jew pedelec kif definiti hawn;

No. 371

MINISTRY FOR TRANSPORT, INFRASTRUCTURE AND CAPITAL PROJECTS

Government Grant Scheme, including Scrappage Scheme, for the purchase of new Electric Vehicles in Category L, M and N and Pedelecs, for Persons, Voluntary Organisations and Undertakings

THE Ministry for Transport, Infrastructure, and Capital Projects in conjunction with the Authority for Transport in Malta (Transport Malta) is publishing a financial grant scheme aimed at persons residing in Malta, voluntary organisations and undertakings established in Malta, to further promote the use of new electric vehicles in Category L, M and N and pedelecs. This grant is applicable also to special purpose vehicles.

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 passenger cars, goods carrying vehicles, minibuses, coaches, quadricycle, motorcycles, and pedelecs.

The grant includes a scrappage scheme intended to provide further financial support to applicants who, while purchasing and registering a new electric vehicle or pedelec, deregister a vehicle of any category 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 2023 and is on a first come first served basis. This grant shall remain in force until the 31st of December 2023 or until the budgeted funds are exhausted, unless modified or terminated beforehand by a Notice in the Government Gazette.

The budgeted funds for this scheme amount to fifteen million Euro (€15,000,000). This grant scheme is financed through the Recovery and Resilience Plan for Malta.

THE SCHEME

1. Interpretation

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

'applicant' means the person residing in Malta, voluntary organisation, or undertaking established in Malta applying for the grant under this scheme, and who is the purchaser of a new Category L or M or N electric vehicle, or a pedelec as defined hereunder;

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

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

'ċertifikat tar-reġistrazzjoni tal-vettura' tfisser iċ-ċertifikat tar-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 taħt il-liġijiet ta' Malta (Kap. 368)

'faċilità ta' trattament awtorizzata' tfisser faċilità awtorizzata biex teqred vetturi u toħroġ ċertifikati ta' distruzzjoni, f'konformità mar-Regolamenti dwar l-Immaniġġjar tal-Iskart (End of Life) - L.S. 549.36;

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

'impriża f'diffikultà' tfisser impriża li fir-rigward tagħha sseħħ mill-inqas waħda miċ-ċirkostanzi li ġejjin:

a) Fil-każ ta' kumpanija b'responsabbiltà limitata (minbarra SME li ilha teżisti għal inqas minn tliet snin), fejn aktar minn nofs il-kapital azzjonarju sottoskritt tagħha sparixxa bħala riżultat ta' telf akkumulat. Dan huwa l-każ meta t-tnaqqis tat-telf akkumulat minn riżervi (u l-elementi l-oħra kollha ġeneralment meqjusa bħala parti mill-fondi proprji tal-kumpanija) iwassal għal ammont kumulattiv negattiv li jaqbeż nofs il-kapital azzjonarju sottoskritt. Għall-finijiet ta' din id-dispożizzjoni, "kumpanija b'responsabbiltà limitata" tirreferi b'mod partikolari għat-tipi ta' kumpaniji msemmija fl-Anness I tad-Direttiva 2013/34/UE u "kapital azzjonarju" tinkludi, fejn rilevanti, kwalunkwe primjum ta' ishma.

b) Fil-każ ta' kumpanija fejn mill-inqas xi membri għandhom responsabbiltà illimitata għad-dejn tal-kumpanija (minbarra SME li ilha teżisti għal inqas minn tliet snin), fejn aktar minn nofs il-kapital tagħha kif muri fil-kontijiet tal-kumpanija jkun sparixxa bħala riżultat ta' telf akkumulat. Għall-finijiet ta' din id-dispożizzjoni, "kumpanija fejn mill-inqas xi membri għandhom responsabbiltà illimitata għad-dejn tal-kumpanija" tirreferi b'mod partikolari għat-tipi ta' kumpanija msemmija fl-Anness II tad-Direttiva 2013/34/UE.

c) Meta l-impriża tkun soġġetta għal proċedimenti kollettivi ta' insolvenza jew tissodisfa l-kriterji taħt il-liġi domestika tagħha biex titqiegħed fi proċedimenti kollettivi ta' insolvenza fuq talba tal-krediturі tagħha.

d) Meta l-impriża tkun irċeviet għajnuna għas-salvataġġ u tkun għadha ma rrimborsatx is-self jew ma temmitx il-garanzija, jew tkun irċeviet għajnuna għar-ristrutturar u tkun għadha soġġetta għal pjan ta' ristrutturar.

'application' means the application made for a grant 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);

'authorised treatment facility' means a facility authorised to destroy vehicles and issue certificates of destruction, in compliance with the Waste Management (End of Life Regulations) - S.L. 549.36;

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

'undertaking in difficulty' means an undertaking in respect of which at least one of the following circumstances occurs:

a) In the case of a limited liability company (other than an SME that has been in existence for less than three years), where more than half of its subscribed share capital has disappeared as a result of accumulated losses. This is the case when deduction of accumulated losses from reserves (and all other elements generally considered as part of the own funds of the company) leads to a negative cumulative amount that exceeds half of the subscribed share capital. For the purposes of this provision, "limited liability company" refers in particular to the types of company mentioned in Annex I of Directive 2013/34/EU and "share capital" includes, where relevant, any share premium.

b) In the case of a company where at least some members have unlimited liability for the debt of the company (other than an SME that has been in existence for less than three years), where more than half of its capital as shown in the company accounts has disappeared as a result of accumulated losses. For the purposes of this provision, "a company where at least some members have unlimited liability for the debt of the company" refers in particular to the types of company mentioned in Annex II of Directive 2013/34/EU.

c) Where the undertaking is subject to collective insolvency proceedings or fulfils the criteria under its domestic law for being placed in collective insolvency proceedings at the request of its creditors.

d) Where the undertaking has received rescue aid and has not yet reimbursed the loan or terminated the guarantee, or has received restructuring aid and is still subject to a restructuring plan.

e) Fil-każ ta' impriża li mhijiex SME, meta, għall-aħħar sentejn:

1. id-dejn kontabilistiku għall-proporzjon ta' ekwità tal-intrapriża jkun akbar minn 7.5 u

2. il-proporzjon ta' imgħax kopert tal-EBITDA tal-impriża jkun taħt 1.0.

'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 kbira' tfisser impriża li mhijiex intrapriża medja jew żgħira.

'impriża medja' tfisser impriża li tħaddem inqas minn 250 persuna u li għandha fatturat annwali li ma jaqbiżx il-50 miljun ewro, u/jew it-total annwali tal-karta tal-bilanċ li ma jaqbiżx it-43 miljun ewro, u li mhijiex impriża żgħira.

'impriża stabbilita f'Malta' tfisser entità kummerċjali stabbilita f'Malta, inkluż persuna li taħdem għal rasha skont il-Liġi Nazzjonali, fundazzjoni jew soċjetà kooperattiva, li ma tkunx kontrollata direttament jew indirettament mill-Gvern ta' Malta jew iffinanzjata permezz ta' fondi pubbliċi.

'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.

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

e) In the case of an undertaking that is not an SME, where, for the past two years:

1. the undertaking's book debt to equity ratio has been greater than 7.5 and

2. the undertaking's EBITDA interest coverage ratio has been below 1.0.

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

'large enterprise' means an enterprise which is not a medium or small enterprise.

'medium enterprise' means an enterprise which employs fewer than 250 persons and which has an annual turnover not exceeding 50 million Euro, and/or an annual balance sheet total not exceeding 43 million Euro, and which is not a small enterprise.

'undertaking established in Malta' means a commercial entity established in Malta, including a self-employed person in accordance with National Law, a foundation or a cooperative society, which is not controlled directly or indirectly by the Government of Malta or funded through public funds.

'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.

'impriża żgħira' tfisser impriża li tħaddem inqas minn 50 persuna u li l-fatturat annwali tagħha u/jew it-total annwali tal-karta tal-bilanċ tagħha ma jaqbiżx l-10 miljun ewro;

'small enterprise' means an enterprise which employs fewer than 50 persons and whose annual turnover and/or annual balance sheet total does not exceed 10 million Euro;

'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;

'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' tfisser il-gżejjer Maltin.

'Malta' means the Maltese islands.

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

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

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

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

'pedelec' tfisser ċikletta li taħdem bil-pedali u bl-elettriku u li l-mutur tagħha jiġi attivat immedjatament kif is-sewwieq jibda jdawwar il-pedala u jitwaqqaf hekk kif is-sewwieq ma jibqax idawwar il-pedala, u li tista' tilħaq veloċità massima ta' 25km/h;

'pedelec' means a pedal electric bicycle whose electric motor is activated as soon as the rider starts pedalling and is deactivated as soon as the rider stops pedalling, and which can reach a maximum speed of 25km/h;

'pedelec tal-merkanzija' tfisser pedelec li jista' jġorr mill-inqas 100kg ta' merkanzija minbarra s-sewwieq;

'cargo pedelec' means a pedelec which can carry at least 100kg of cargo excluding the driver;

'persuna residenti f'Malta' tfisser persuna li jew ikollha 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 tal-espatrijati fil-Ministeru għall-Intern, Sigurtà Nazzjonali u Infurzar tal-Liġi;

'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;

'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;

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

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

'SME' tfisser impriża żgħira jew medja;

'SME' means a small or medium enterprise;

'Standard tal-Unjoni' tfisser:

'Union standard' means:

a) standard tal-Unjoni obbligatorju li jistabbilixxi l-livelli li għandhom jintlaħqu minn impriżi individwali f'termini ambjentali; jew

a) a mandatory Union standard setting the levels to be attained in environmental terms by individual undertakings; or

b) l-obbligu skont id-Direttiva 2010/75/UE tal-Parlament Ewropew u tal-Kunsill biex jintużaw l-aqwa tekniki disponibbli (BAT) u li jiġi żgurat li l-livelli ta' emissjonijiet ta' sustanzi li jniġġsu mhumiex ogħla milli kienu jkunu meta tiġi applikata l-BAT; għall-każijiet fejn il-livelli ta' emissjonijiet assoċjati mal-BAT ġew definiti f'atti ta' implimentazzjoni adottati skont id-Direttiva 2010/75/UE, dawk il-livelli jkunu applikabbli għall-fini ta' dan ir-Regolament; meta dawn il-livelli huma espressi bħala medda, għandu jkun applikabbli l-limitu fejn il-BAT tintlaħaq l-ewwel.

'tneħħija mir-reġistrazzjoni' tfisser, għall-fini ta' din l-iskema, 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 rreġistrata biex tintuża fit-triq f'Malta;

'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 bi skop speċjali' tfisser, għall-finijiet ta' din l-iskema, vettura tal-kategorija M jew N li għandha karatteristiċi tekniċi speċifiċi li jippermettulha li twettaq funzjoni li teħtieġ arranġamenti jew tagħmir speċjali;

'vettura elettrika' tfisser vettura li hija mħaddma esklussivament b'muturi elettriċi li jużaw enerġija elettrika maħżuna f'batteriji li huma ċċarġjati minn sors tal-elettriku estern;

'vettura elettrika jew pedelec ġdida' tfisser vettura elettrika jew pedelec li qatt ma ġiet irreġistrata qabel fi kwalunkwe pajjiż.

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

'vettura tal-Kategorija L' tfisser vettura b'żewġ jew tliet roti jew kwadriċikli li jaqgħu fl-ambitu 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 emendati.

'vettura tal-Kategorija M' tfisser vettura tal-Kategorija M1, M2 jew M3;

'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;

'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 il-ħames (5) tunnellati;

b) the obligation under Directive 2010/75/EU of the European Parliament and of the Council to use the best available techniques (BAT) and ensure that emission levels of pollutants are not higher than they would be when applying BAT; for the cases where emission levels associated with the BAT have been defined in implementing acts adopted under Directive 2010/75/EU, those levels will be applicable for the purpose of this Regulation; where those levels are expressed as a range, the limit where the BAT is first achieved will be applicable.

'de-registration' 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);

'special purpose vehicle' means, for the purposes of this scheme, a vehicle of category M or N having specific technical features that enable it to perform a function that requires special arrangements or equipment;

'electric vehicle' means a vehicle which is powered exclusively by electric motors using electrical energy stored in batteries which are charged from an external electricity source;

'New electric vehicle or pedelec' means an electric vehicle or pedelec which has never been registered before in any country.

'de-registered vehicle' means a 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 M vehicle' means a Category M1, M2 or M3 vehicle;

'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 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 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 N' tfisser vettura tal-Kategorija N1, N2 jew N3;

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

'vettura tal-Kategorija N2' tfisser vettura bil-mutur użata għall-ġarr tal-merkanzija u li għandha massa massima li taqbeż it-tliet tunnellati u nofs (3.5 tunnellati) imma ma taqbiżx is-seba' tunnellati u nofs (7.5);

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

'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.

'xerrej' tfisser persuna residenti f'Malta, organizzazzjoni volontarja, jew impriża stabbilita f'Malta li jixtri l-vettura minn pajjiż ieħor jew mingħand l-aġent jew negozjant lokali, li jkollu dik il-vettura rreġistrata f'ismu u li jkun l-applikant għall-għotja taħt din l-iskema;

2. Qasam ta' applikabbiltà

2.1. L-iskema għal għotja finanzjarja għax-xiri ta' vetturi elettriċi jew pedelecs ġodda kif definit hawn fuq, tapplika għal kull persuna residenti f'Malta, organizzazzjoni volontarja, jew impriża stabbilita f'Malta.

2.2. L-iskema tippermetti taħlita ta' xiri ta' vetturi elettriċi u pedelecs ġodda, u tibdil ta' vetturi antiki.

2.3. L-ammont totali tal-għotja maħruġ lill-applikanti għal kwalunkwe waħda minn dawn l-għotjiet m'għandux jaqbeż il-prezz tax-xiri tal-vettura elettrika jew tal-pedelec il-ġdida.

2.4. Fil-każ ta' applikazzjonijiet li jikkonċernaw vetturi bi skop speċjali, il-kundizzjonijiet applikabbli għandhom jikkorrispondu għal dawk applikabbli għall-vetturi tal-Kategorija N b'massa massima permissibbli simili għal dik tal-vettura bi skop speċjali kkonċernata.

2.5. Għotja għal Xiri ta' Vetturi elettriċi Ġodda tal-Kategorija L jew M jew N.

2.5.1. Applikazzjoni għal għotja minn persuni residenti Malta u organizzazzjonijiet volontarji li ma jwettqux attività ekonomika fis-sens tal-Artikolu 107 TFUE.

'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 N vehicle' means a Category N1, N2 or N3 vehicle;

'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 exceeding three and a half (3.5) tonnes but 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;

'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;

'purchaser' means a person residing in Malta, 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 electric vehicles and pedelecs as defined above, applies to any person residing in Malta, voluntary organisation, or undertaking established in Malta.

2.2. The scheme allows a mix and match of purchase of new electric vehicles and pedelecs, 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 electric vehicle or pedelec.

2.4. In the case of applications concerning special purpose vehicles, the applicable conditions shall correspond to those applicable to the Category N vehicles with similar maximum permissible mass to that of the special purpose vehicle concerned.

2.5. Grant for the Purchase of New Category L or M or N electric Vehicles.

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

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.

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

a) L-ammonti tal-għotja applikabbli f'dawn il-każijiet ivarjaw skont il-kategorija tal-vettura li tkun qed tiġi rreġistrata, il-kwantità ta' vetturi li jiġu rreġistrati, u d-daqs u s-settur tal-impriża jew organizzazzjoni li qed tapplika, kif muri fit-Tabelli 1 u 3 tal-Anness.

b) Ir-regoli dwar l-għajnuna mill-Istat għandhom japplikaw għal għotjiet maħruġa taħt din it-taqsima, skont il-kategorija u l-kwantità ta' vetturi li jiġu rreġistrati. Ir-regoli dwar l-għajnuna mill-Istat huma spjegati fid-dettall fit-taqsima 2.7 ta' dan id-dokument.

2.6. Skema tal-Iskrappjar

a) Fil-każ ta' applikazzjoni għal għotja li tinvolvi t-tneħħija mir-reġistrazzjoni ta' vettura eżistenti, l-applikant għandu jneħħi r-reġistrazzjoni ta' vettura tal-kategorija L, M jew N li għandha mill-inqas 10 snin mis-sena tal-manifattura u li tkun irreġistrata f'isem l-applikant fil-ġurnata tat-tneħħija mir-reġistrazzjoni tagħha, u li tkun tneħħiet mir-reġistrazzjoni fl-1 ta' Jannar 2022 jew wara.

b) Sabiex tkun eliġibbli għall-iskema tal-iskrappjar, il-vettura li tkun tneħħiet mir-reġistrazzjoni trid tkun tal-istess kategorija jew kategorija iżgħar minn dik tal-vettura elettrika ġdida li tkun qed tiġi rreġistrata. Madanakollu, meta applikant jirreġistra vettura tal-kategorija L ġdida jkun jista' jneħħi mir-reġistrazzjoni vettura tal-kategorija L jew M1 jew N1 u xorta jkun eliġibbli għall-għotja taħt l-iskema tal-iskrappjar.

c) L-ammonti ta' 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.

d) 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 għar-regoli tal-għajnuna mill-Istat skont ir-Regolament De Minimis applikabbli, kif stipulat fit-taqsima 2.7.2 ta' dan id-dokument.

2.7. Regoli dwar l-għajnuna mill-Istat

2.7.1. Din l-iskema qed tiġi offruta taħt żewġ regolamenti dwar l-għajnuna mill-Istat differenti, kif spjegat hawn taħt. Applikanti li ma jistgħux japplikaw taħt ir-regolamenti De Minimis għax mhumiex eliġibbli taħt l-istess regolamenti, jew minħabba l-limiti applikabbli, jistgħu japplikaw għall-inċentiv taħt ir-Regolament għall-Eżenzjoni Ġenerali Sħiħa.

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.

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

a) The grant amounts applicable in these cases shall vary depending on the category of vehicle being registered, the quantity of vehicles being registered and the size and sector of the applying undertaking or organisation, as shown in Tables 1 and 3 of the Annex.

b) State aid rules shall apply for grants issued under this section, depending on the category and quantity of electric vehicles being registered. The State aid rules are explained in detail in section 2.7 of this document.

2.6. 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 M or N 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, and which has been deregistered on or after the 1st of January 2022.

b) In order to be eligible for this scrappage scheme, the deregistered vehicle shall be from the same or lower category as the new Electric Vehicle being registered. However, when an applicant registers a new category L vehicle, the applicant may deregister a vehicle from Category L or M1 or N1 and still be eligible for the scrappage scheme grant.

c) 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.

d) 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 in line with the applicable de minimis Regulation, as explained in section 2.7.2 of this document.

2.7. State aid rules

2.7.1. This scheme is being offered under two different state aid regulations, as explained below. Applicants who cannot apply under the De Minimis regulations because they are not eligible under the said regulations, or due to the applicable thresholds, may apply for the incentive under the General Block Exemption Regulation.

2.7.2. Regolamenti De Minimis

L-assistenza se tingħata f'konformità ma' wieħed mir-Regolamenti de minimis li ġejjin.

a) Għall-impriżi 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 tal-agrikoltura (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 tal-agrikoltura (ĠU 51 I/1, 22.2.2019);

b) Għall-impriżi li huma attivi fis-settur tas-sajd u 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 tal-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) u kif emendat aktar mir-Regolamanet tal-Kummissjoni (UE) 2022/2514 tal-14 ta' Diċembru 2022 li jemenda r-Regolament (UE) Nru 717/2014 fir-rigward tal-perjodu ta' applikazzjoni tiegħu (ĠU L 326/8, 21.12.2022);

c) Għall-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 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).

L-ammont totali ta' għajnuna de minimis mogħtija lil impriża waħda m'għandux jaqbeż il-limiti stabbiliti fir-Regolamenti de minimis applikabbli indikati hawn fuq. Skont l-attività tal-applikant, il-limiti de minimis huma 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;

2.7.2. De Minimis Regulations

Assistance will be provided in line with one of the following de minimis Regulations:

(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) 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) and as further amended by Commission Regulation (EU) 2022/2514 of 14 December 2022 amending Regulation (EU) No 717/2014 as regards its period of application (OJ L 326, 21.12.2022);

(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).

The total amount of de minimis aid granted to a single undertaking must not exceed the thresholds established in the applicable de minimis Regulation outlined above. The applicable 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) 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 ġarr 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 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.

2.7.3. Regolament għall-Eżenzjoni Ġenerali Sħiħa (GBER)

Bl-eċċezzjoni ta' impriżi li huma attivi fis-settur tas-sajd u tal-akkwakultura[1], u ta' dawk l-impriżi jew organizzazzjonijiet volontarji li jwettqu attività ekonomika fis-sens tal-Artikolu 107 TFUE li jixtru vettura jew vetturi elettriċi tal-Kategorija L jew M1 jew N1 u li jibbenefikaw minn assistenza taħt din l-iskema għal tali xuru skont ir-regolamenti applikabbli dwar l-għajnuna mill-Istat de minimis kif stipulat fit-taqsima 2.7.2, l-għotja għax-xiri ta' vetturi elettriċi ġodda tal-Kategorija L jew M jew N se tiġi implimentata skont ir-Regolament tal-Kummissjoni (UE) Nru 651/2014 tas-17 ta' Ġunju 2014 li jiddikjara li ċerti kategoriji ta' għajnuna huma kompatibbli mas-suq intern skont l-Artikoli 107 u 108 tat-Trattat, kif emendat (minn hawn 'il quddiem imsejjaħ ir-Regolament tal-Eżenzjoni Ġenerali Sħiħa).

L-ebda għajnuna mhi se tingħata lil dawk is-setturi espressament eskluži milli jirċievu għajnuna f'konformità mal-Artikolu 1 tar-Regolament tal-Eżenzjoni Ġenerali Sħiħa, inklużi impriżi attivi fis-settur tas-sajd u l-akkwakultura. Għajnuna mhix se tingħata lil impriża li hija soġġetta għal ordni ta' rkupru pendenti wara deċiżjoni preċedenti tal-Kummissjoni li tiddikjara għajnuna mogħtija minn Malta illegali u inkompatibbli mas-suq intern.

Barra minn hekk, impriżi f'diffikultà, huma eskluži mill-ambitu ta' din l-iskema. F'dan ir-rigward, l-applikant ikun meħtieġ li jissottometti Dikjarazzjoni tas-Saħħa Finanzjarja ppreparata u ffirmata minn awditur bil-warrant li tikkonferma jekk l-impriża għandhiex titqies bħala impriża f'diffikultà

[1] Għal impriżi attivi fis-settur tas-sajd u tal-akkwakultura, l-għajnuna tal-Istat tista' tingħata skont ir-Regolament de minimis applikabbli.

(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 that carry out an economic activity within the meaning of 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.

2.7.3. General Block Exemption Regulation (GBER)

With the exception of undertakings active in the fishery and aquaculture sector[1], and those undertakings or voluntary organisations that carry out an economic activity within the meaning of Article 107 TFEU that purchase one or more Category L or M or N electric vehicles and that benefit from assistance for such purchase in line with the applicable de minimis state aid regulations as stipulated in Section 2.7.2, the grant for the purchase of one or more Category L or M or N electric vehicles will be implemented in line with Commission Regulation (EU) No. 651/2014 of 17 June 2014 declaring certain categories of aid compatible with the internal market in application of Articles 107 and 108 of the Treaty, as amended (hereinafter referred to as the General Block Exemption Regulation).

No aid will be granted to those sectors expressly excluded from receiving aid in line with Article 1 of the General Block Exemption Regulation, including undertakings active in the fishery and aquaculture sector. Aid will not be granted in favour of an undertaking which is subject to an outstanding recovery order following a previous Commission decision declaring an aid granted by Malta illegal and incompatible with the internal market.

Furthermore, undertakings in difficulty, are excluded from the scope of this scheme. In this regard, the applicant shall be required to submit a Financial Health Declaration prepared and signed by a warranted auditor confirming whether the undertaking shall be considered as an undertaking in difficulty

[1]For undertakings active in the fishery and aquaculture sector, State aid may be granted in line with the applicable de minimis Regulation.

jew le, f'konformità mad-definizzjonijiet u l-kundizzjonijiet applikabbli stipulati fir-Regolament tal-Eżenzjoni Ġenerali Sħiħa.

L-investiment għandu jissodisfa waħda mill-kundizzjonijiet li ġejjin:

a) jgħin lill-benefiċjarju biex jgħolli l-livell tal-protezzjoni ambjentali li jirriżulta mill-attivitajiet tiegħu billi jmur lil hinn mill-istandards applikabbli tal-Unjoni, irrispettivament mill-preżenza ta' standards nazzjonali obbligatorji li jkunu aktar stretti mill-istandards tal-Unjoni;

b) jgħin lill-benefiċjarju biex jgħolli l-livell tal-protezzjoni ambjentali li jirriżulta mill-attivitajiet tiegħu fin-nuqqas ta' standards tal-Unjoni.

Tista' tingħata għajnuna għal xiri ta' vetturi ġodda tat-trasport għat-triq konformi mal-istandards tal-Unjoni, dment li dak l-akkwist iseħħ qabel ma dawn l-istandards jidħlu fis-seħħ u li, ladarba jkunu obbligatorji, ma jkunux japplikaw għal vetturi li nxtraw qabel din id-data.

Ir-regoli dwar l-akkumulazzjoni tal-għajnuna se jiġu rispettati.

3. Kif għandha ssir l-applikazzjoni u dokumenti ta' sostenn

3.1. Applikazzjonijiet sottomessi minn persuni residenti f'Malta jew fl-ambitu tar-Regolamenti De Minimis

3.1.1. Applikazzjoni għal għotja sottomessa minn persuna residenti f'Malta jew minn impriża stabbilita f'Malta jew Organizzazzjoni Volontarja skont ir-regolamenti De Minimis għandha ssir jew mill-aġent/negozjant/fornitur jew mix-xerrej billi jissottometti l-formola tal-applikazzjoni VEH 057A mar-reġistrazzjoni tal-vettura elettrika ġdida ma' Transport Malta, flimkien ma' kull informazzjoni, dettalji u dokumenti meħtieġa fiha.

3.1.2. L-applikazzjonijiet għandhom ikunu akkumpanjati mid-dokumenti li ġejjin:

a) Fil-każ ta' applikazzjoni għall-iskema tal-iskrappjar, ċertifikat ta' distruzzjoni maħruġ minn faċilità ta' trattament awtorizzata li jiċċertifika li l-vettura li tkun qed titneħħa mir-reġistrazzjoni ġiet meqruda fil-faċilità ta' trattament awtorizzata fl-2022 jew 2023;

b) Fil-każ ta' applikazzjoni preżentata minn impriża stabbilita f'Malta:

i. Ċertifikat tar-reġistrazzjoni, jew ċertifikat tal-VAT;

ii. Id-Dikjarazzjoni dwar l-Għajnuna mill-Istat VEH071; u

or not, in line with the applicable definitions and conditions stipulated in the General Block Exemption Regulation.

The investment shall fulfil one of the following conditions:

a) it shall enable the beneficiary to increase the level of environmental protection resulting from its activities by going beyond the applicable Union standards, irrespective of the presence of mandatory national standards that are more stringent than the Union standards;

b) it shall enable the beneficiary to increase the level of environmental protection resulting from its activities in the absence of Union standards.

Aid may be granted for the acquisition of new transport vehicles for road transport complying with adopted Union standards, provided that the acquisition occurs before those standards enter into force and that, once mandatory, they do not apply to vehicles already purchased before that date.

The rules on cumulation of aid will be respected.

3. Manner of application and supporting documents

3.1. Applications submitted by persons residing in Malta or under the De Minimis Regulations

3.1.1. An application for a grant submitted by a person residing in Malta or by an undertaking established in Malta or a Voluntary Organisation in terms of the De Minimis regulations shall be made either by the agent/dealer/supplier or by the purchaser by submitting application form VEH 057A upon registration of the new electric vehicle with Transport Malta, along with any information, details and documents required therein.

3.1.2. Applications shall be accompanied by the following documents:

a) In the case of an application for the scrappage scheme, a certificate of destruction issued by an authorised treatment facility certifying that the vehicle which is being deregistered has been destroyed in the authorised treatment facility during 2022 or 2023;

b) In the case of an application submitted by an undertaking established in Malta:

i. A registration certificate, or a VAT certificate;

ii. State Aid Declaration form VEH071; and

iii. Ċertifikat li jikkonferma s-Sid Benefiċjarju Aħħari (UBO) tal-impriża maħruġ mill-MBR, jew imniżżel mis-sit tal-MFSA fil-każ ta' trust.

c) Fil-każ ta' applikazzjoni ppreżentata minn organizzazzjoni volontarja, ċertifikat ta' reġistrazzjoni maħruġ mill-Kunsill Malti għas-Servizz Volontarju, u jekk l-organizzazzjoni tkun twetta attivita' ekonomika id-Dikjarazzjoni dwar l-Għajnuna mill-Istat VEH071

3.2. Applikazzjoni fl-ambitu tar-Regolament għall-Eżenzjoni Ġenerali Sħiħa

3.2.1. Applikazzjoni għal għotja sottomessa minn impriża stabbilita f'Malta jew Organizzazzjoni Volontarja skond ir-Regolament Ġenerali ta' Eżenzjoni ta' Kategorija għandha ssir jew mix-xerrej billi jissottometti l-formola ta' applikazzjoni VEH 057B wara l-ordni ta' vettura elettrika ġdida, flimkien ma' kwalunkwe informazzjoni. , dettalji u dokumenti meħtieġa hemmhekk.

3.2.2. L-applikazzjonijiet għandhom ikunu akkumpanjati mid-dokumenti li ġejjin:

a) Kopja tal-irċevuta rilevanti tad-depożitu, ordni jew kuntratt li tikkonferma t-tqegħid ta' ordni għal vettura elettrika ġdida mix-xerrej, u li tindika l-għamla, il-mudell, il-kategorija tal-UE u t-tip ta' fjuwil tal-vettura ordnata;

b) Fil-każ ta' applikazzjoni għall-iskema tal-iskrappjar, ċertifikat ta' qerda maħruġ minn faċilità ta' trattament awtorizzata li jiċċertifika li l-vettura li qed tiġi dereġistrata ġiet meqruda fil-faċilità ta' trattament awtorizzata matul l-2022 jew l-2023;

c) Fil-każ ta' impriża stabbilita f'Malta:

a. ċertifikat ta' reġistrazzjoni, jew ċertifikat tal-VAT; u

b. ċertifikat li jikkonferma l-Ultimate Beneficiary Owner (UBO) tal-impriża maħruġ minn MBR jew imniżżel mill-websajt tal-MFSA fil-każ ta' trust.

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

e) Id-Dikjarazzjoni tas-Saħħa Finanzjarja VEH074.

3.2.3. L-applikazzjonijiet sottomessi skont din it-taqsima għandhom jiġu eżaminati u, jekk applikabbli, approvati minn Tranport Malta li għandha tirriżerva l-ammonti tal-għotja applikabbli għall-applikant. Il-ħruġ ta' tali ammonti ta' għotja għandu jseħħ wara li l-applikant jirreġistra ma' Transport Malta vettura elettrika ġdida li tikkorrispondi mal-ordni jew kuntratt tax-xiri li jkun ġie sottomess mal-applikazzjoni oriġinali.

iii. A certificate confirming the undertaking's Ultimate Beneficiary Owner (UBO) issued by MBR or downloaded from MFSA's website in the case of a trust.

c) In the case of an application submitted by a voluntary organisation, a registration certificate issued by the Malta Council for Voluntary Service, and in the organisation carries out an economic activity, the State Aid Declaration VEH071.

3.2. Applications submitted under the General Block Exemption Regulation (GBER)

3.2.1. An application for a grant submitted by an undertaking established in Malta or a Voluntary Organisation in terms of the General Block Exemption Regulation shall be made by the purchaser by submitting application form VEH 057B following the order of a new electric vehicle, along with any information, details and documents required therein.

3.2.2. Applications shall be accompanied by the following documents:

a) A copy of the relevant receipt of deposit, order or contract confirming the placing of an order for a new electric vehicle by the purchaser, and indicating the make, model, EU category and fuel type of the ordered vehicle;

b) In the case of an application for the scrappage scheme, a certificate of destruction issued by an authorised treatment facility certifying that the vehicle which is being deregistered has been destroyed in the authorised treatment facility during 2022 or 2023;

c) In the case of an undertaking established in Malta:

i. a registration certificate, or a VAT certificate; and

ii. a certificate confirming the undertaking's Ultimate Beneficiary Owner (UBO) issued by MBR or downloaded from MFSA's website in the case of a trust.

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

e) The Financial Strength Declaration VEH074.

3.2.3. Applications submitted in compliance with this section shall be vetted and, if applicable, approved by Tranport Malta which shall reserve the applicable grant amounts for the applicant. The disbursement of such grant amounts shall occur after that the applicant registers with Transport Malta a new electric vehicle corresponding to the purchase contract or order submitted with the original application.

3.3. Is-Sid Benefiċjarju Aħħari (UBO) tax-xerrej tal-vettura għandu jitqies bħala l-applikant aħħari f'termini ta' din l-iskema.

3.4. L-applikazzjonijiet taħt din l-iskema, flimkien mad-dokumenti rilevanti kollha, għandhom jiġu sottomessi mill-applikant matul il-ġranet tax-xogħol bejn is-7.30 a.m. u s-1.00 p.m.jew mibgħuta bil-posta lid-Dipartiment dwar il-Liċenzjar ta' Sewwieqa u Vetturi (DVLU) ta' Transport Malta fuq:

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

b) Malta Transport Centre, Triq il-Pantar, Ħal Lija LJA2021; jew

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

3.5. 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 tikkwalifika għall-għotjiet, il-Vettura tal-Kategorija L, M jew N jew pedelec li tkun qed tiġi rreġistrata għandha:

a) tkun ġdida;

b) Fil-każ ta' applikazzjonijiet sottomessi minn persuni residenti f'Malta jew fl-ambitu tar-Regolamenti De Minimis tkun ġiet irreġistrata f'Malta wara l-1 ta' Jannar 2022;

c) Fil-każ ta applikazzjoni fl-ambitu tar-Regolament għall-Eżenzjoni Ġenerali Sħiħa, tkun ġiet ordnata wara l-1 ta' Jannar 2023 bl'intenzjoni li tkun eventwalment irreġistrata f'Malta;

d) tkun illiċenzjata, jew se tkun illiċenzjata, għal użu privat jew użata b'rabta mal-provvista ta' servizzi volontarji jew l-attività ta' negozju.

4.3. Biex tikkwalifika għall-iskema tal-iskrappjar, il-vettura bil-mutur li titneħħa mir-reġistrazzjoni għandha:

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;

3.3. The Ultimate Beneficiary Owner (UBO) of the purchaser of the vehicle shall be considered as the ultimate applicant in terms of this scheme.

3.4. Applications under this scheme, together with all the relevant documents, shall be submitted by the applicant during working days between 7.30 a.m. and 1.00 p.m. 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.

3.5. 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 grant, including the used grant.

4. Eligibility

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

4.2. To qualify for the grants, the Category L, M or N Vehicle or pedelec being registered shall:

a) be new;

b) In case of applications submitted by persons residing in Malta or under the De Minimis Regulations, have been registered in Malta after the 1st of January 2022;

c) In case of application submitted under the General Block Exemption Regulation, has been ordered after the 1st of January 2023 with the intention to be eventually registered in Malta;

d) be licensed, or to 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) be at least ten (10) years old on the date of application, with 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) tkun irreġistrata u ggaraxxjata jew illiċenzjata ma' Transport Malta f'isem l-applikant fid-data tal-applikazzjoni, kif muri fuq iċ-ċertifikat tar-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 iċ-ċertifikat ta' distruzzjoni.

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

5. Ħlas tal-Għotja

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

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

5.3. Impriżi u organizzazzjonijiet volontarji li jwettqu attività ekonomika li japplikaw għall-għotja xorta jistgħu jibbenefikaw minn inċentivi fis-seħħ fir-rigward tax-xiri ta' vetturi elettriċi u pedelecs ġodda għal skopijiet ta' taxxa.

5.4. 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 jew pedelec 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. L-Awtorità m'għandhiex tinżamm responsabbli ta' kwalunkwe telf ta' għotjiet jew opportunitajiet li jirriżultaw mis-sottomissjoni ta' applikazzjoni mhux kompluta jew mhux korretta.

7. Rifużjoni tal-għotja

7.1. Kull vettura elettrika tal-Kategorija L, M jew N jew pedelec ġdida mixtrija mill-applikant taħt din l-għotja għandha tibqa' rreġistrata f'isem l-applikant għal perjodu ta' mill-inqas sitta u tletin (36) xahar mid-data tal-ewwel reġistrazzjoni. Dan il-perjodu ta' 36 xahar ma japplikax għal importaturi ta' karozzi liċenzjati u aġenti jekk jużaw il-vetturi mixtrija għal skopijiet ta' dimostrazzjoni. Jekk is-sid reġistrat tal-vettura elettrika jew pedelec ġdida li fuqha tkun ġiet maħruġa għotja taħt din l-iskema jittrasferixxi l-imsemmija

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). Certificate of Destruction 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 the grant, the grant shall be paid directly to the applicant.

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

5.3. Undertakings and voluntary organisations that carry out an economic activity applying for the grant can still benefit from incentives in place with respect to the purchase of new electric vehicles and pedelecs for tax purposes.

5.4. 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. The Authority shall not be held responsible for any loss of grants or opportunities resulting from the submission of an incomplete or incorrect application.

7. Refunding of grant

7.1. Any new Category L, M or N electric vehicle or pedelec purchased by the applicant under this grant shall remain registered in the applicant's name for a period of at least thirty-six (36) months from the date of first registration. This 36-month time frame does not apply for licensed car importers and agents using the bought vehicles for demonstration purposes. If the registered owner of a new electric vehicle or pedelec on which a grant has been issued under this scheme transfers the said vehicle, for any reason

vettura, għal xi raġuni oħra għajr trasferiment causa mortis lil werriet, jew lil terza persuna, qabel l-iskadenza tal-perjodu msemmi hawn fuq, allura dik il-persuna għandha tirrifondi l-għotja li tkun irċeviet mingħand Transport Malta. F'dawn il-każijiet, jiġifieri, meta l-vettura terġa' tinbiegħ u l-għotja tiġi mogħtija lura mis-sid oriġinali, ix-xerrej il-ġdid ikun jista' japplika għall-iskema tal-għotja relatata max-xiri ta' vetturi elettriċi jew pedelecs użati, jekk dik l-iskema tkun disponibbli f'dak iż-żmien. F'każijiet ta' kumpanija skwalifikata fi ħdan l-istess grupp ta' kumpaniji, tali trasferiment tal-vettura jkun permess mingħajr il-ħtieġa li tingħata lura l-għotja.

7.2. Fil-każ ta' vetturi elettriċi tal-Kategorija L, M jew N jew pedelecs importati f'Malta minn importaturi liċenzjati ta' vetturi ġodda għall-fini ta' dimostrazzjoni, l-importaturi jistgħu jerġgħu jbigħu dawk il-vetturi jew pedelecs mingħajr ma jroddu lura l-għotja li ngħatat taħt din l-iskema anki jekk il-bejgħ iseħħ fil-perjodu ta' 36 xahar wara r-reġistrazzjoni. F'każijiet bħal dawn, ix-xerrejja ta' vetturi kkonċernati ma jkunux eliġibbli għal ebda għotja u l-bejjiegħ għandu jiżgura li dan jitqies fil-prezz tal-bejgħ tal-vettura.

8. Tul tal-iskema

8.1. Din l-iskema għandha tibqa' fis-seħħ sal-31 ta' Diċembru 2023 jew sal-eżawriment tal-fondi bbaġitjati, 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 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. Meta 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, il-Ministru responsabbli għat-Trasport 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.

10.2. Transport Malta tirriserva d-dritt li tagħmel il-kontrolli u tieħu l-azzjonijiet kollha meħtieġa bbażati fuq l-informazzjoni pprovduta fir-rigward tas-Sid Benefiċjarju Aħħari (UBO) sabiex tikkonferma l-konformità mar-regolamenti kollha relevanti.

other than a transfer causa mortis to an heir, or to a third party, before the expiry of the above-mentioned period, 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 used electric vehicles or pedelecs, 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.

7.2. In the case of Category L, M or N electric vehicles or pedelecs imported in Malta by licenced new vehicle importers for the purpose of demonstrations, the importers can re-sell such vehicles without refunding back the grant availed of under this scheme even if the sale occurs within the 36 months period after registration. In such cases, the buyers of the vehicles concerned will not be eligible for any grant and the seller should ensure that this is factored in the sale price of the vehicle.

8. Duration of scheme

8.1. This scheme shall remain in force until the 31st of December 2023 or until the exhaustion of budgeted funds, 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 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 Minister responsible for Transport reserves the right to recover funds paid in error. This also applies to undertakings and voluntary organisations that carry out an economic activity, especially with respect to State Aid regulations. Applicants are to make sure that the information provided is correct.

10.2. Transport Malta reserves the right to carry out any necessary checks and actions based on the information provided in respect of the Ultimate Beneficiary Owner (UBO) to confirm compliance with all relevant regulations.

Anness: L-ammonti tal-għotja applikabbli għax-xiri ta' vetturi elettriċi tal-kategorija L, jew M jew N, jew pedelecs ġodda.

Tabella 1: Inċentivi li jitħallsu wara li tiġi rreġistrata vettura jew pedelec elettrika ġdida

Tip ta' vettura	Ammont tal-Għotja skont it-tip ta' Applikant u r-Regoli tal-Għajnuna mill-Istat.		
	· **Persuni naturali residenti f'Malta;** · **Organizzazzjonijiet volontarji mingħajr attività ekonomika.**	· **Impriżi stabbiliti f'Malta;** · **Organizzazzjonijiet volontarji li jwettqu attività ekonomika** · **fis-sens tal-Artikolu 107 TFUE.**	
		Regoli tal-Għajnuna mill-Istat De Minimis*	**Regolament għall-Eżenzjoni Ġenerali Sħiħa (GBER)****
Pedelecs	€500 kull vettura.	€500 kull vettura.	Għall-ammont tal-għotja rreferi għat-Tabella 3, sa massimu ta' €5,000 kull vettura.
Pedelecs tal-merkanzija L1e-A - Ċikli mħaddma L1e-B - Mopeds b'żewġ roti L6e - Kwadriċikli ħfief jew kwadri-mobiles. L3e-A1 - Muturi ta' prestazzjoni baxxa. L4e-A1 - Muturi ta' prestazzjoni baxxa b'side-car. L5e - Triċikli mħaddma b'qawwa li ma taqbiżx il-15-il kW. L3e-A2 - Muturi ta' prestazzjoni medja; L4e-A2 - Muturi b'żewġ roti ta' prestazzjoni medja b'side-car.	€2,000 kull vettura, imma mhux aktar minn 80% tal-prezz tal-bejgħ.	€2,000 kull vettura, imma mhux aktar minn 80% tal-prezz tal-bejgħ.	
L2e - Mopeds bi tliet roti; L3e-A3 - Muturi ta' prestazzjoni għolja; L4e-A3 - Muturi b'żewġ roti ta' prestazzjoni għolja b'side-car. L5e - Triċikli mħaddem b'qawwa li taqbeż il-15-il kW. L7e - Kwadriċikli tqal jew kwadri-mobiles	25% taċ-CIF, sa massimu ta' €6,000 kull vettura.	25% taċ-CIF, sa massimu ta' €6,000 kull vettura.	
M1 - Karozzi N1 - Vannijiet	€11,000 kull vettura.	€11,000 kull vettura.	Għall-ammont tal-għotja rreferi għat-Tabella 3. Sa Massimu ta' €20,000 kull vettura.
M2 - Minibuses N2 - Trakkijiet żgħar	40% tal-prezz tal-bejgħ, sa massimu ta' €70,000 kull vettura.	40% tal-prezz tal-bejgħ, sa massimu ta' €70,000 kull vettura.	Għall-ammont tal-għotja rreferi għat-Tabella 3. Sa Massimu ta' €70,000 kull vettura.
M3 - Kowċis N3 - Trakkijiet	40% tal-prezz tal-bejgħ, sa massimu ta' €400,000 kull vettura.	Mhux applikabbli.	Għall-ammont tal-għotja rreferi għat-Tabella 3. Sa Massimu ta' €400,000 kull vettura.

NOTA: Il-valur taċ-CIF jirreferi għall-valur tal-prezz, l-assigurazzjoni u t-trasport, kif indikat fil-fattura jew irċevuta rispettiva.

*** * Japplikaw ir-Regolamenti De Minimis.**

**** Japplika r-Regolament għall-Eżenzjoni Ġenerali Sħiħa, ħlief għal impriżi attivi fis-settur tas-sajd u tal-akkwakultura f'liema każ għandu japplika r-Regolament de minimis applikabbli.**

Annex: Grant amounts applicable for the purchase of new category L or M or N electric vehicles, or pedelecs.

Table 1: Incentives to be paid after the registeration a new electric vehicle or pedelec.

Type of vehicle	Grant Amount by Type of Applicant and State Aid Rules		
	· **Natural persons residing in Malta;** · **Voluntary Organisations without an economic activity.**	· **Undertakings established in Malta;** · **Voluntary Organisations that carry out an economic activity within** · **the meaning of Article 107 TFEU.**	
		De Minimis State Aid Rules*	**General Block Exemption Regulation (GBER) Rules****
Pedelecs	€500 per vehicle.	€500 per vehicle.	Refer to Table 3 for grant amount. Capped at €5,000 per vehicle.
Cargo Pedelecs L1e-A - Powered cycles L1e-B - Two-wheel mopeds L6e - Light quadricycles or quadri-mobiles L3e-A1 - Low performance motorcycles L4e-A1 - Low-performance two-wheel motorcycles with side-car L5e - Powered Tricycles with power not exceeding 15kW. L3e-A2 - Medium performance motorcycles; L4e-A2 - Medium-performance two-wheel motorcycles with side-car.	€2,000 per vehicle, but not more than 80% of the selling price.	€2,000 per vehicle, but not more than 80% of the selling price.	
L2e - Three-wheel mopeds; L3e-A3 - High-performance motorcycles; L4e-A3 - High-performance two-wheel motorcycles with side-car. L5e - Powered Tricycles with power exceeding 15kW. L7e - Heavy quadricycles or quadri-mobiles	25% of CIF, capped at €6,000 per vehicle.	25% of CIF, capped at €6,000 per vehicle.	
M1 - Cars N1 - Vans	€11,000 per vehicle.	€11,000 per vehicle.	Refer to Table 3 for grant amount. Capped at €20,000 per vehicle.
M2 - Minibus N2 - Small Trucks	40% of the selling price, capped at €70,000 per vehicle.	40% of the selling price, capped at €70,000 per vehicle.	Refer to Table 3 for grant amount. Capped at €70,000 per vehicle.
M3 - Coaches N3 - Trucks	40% of the selling price, capped at €400,000 per vehicle.	N/A	Refer to Table 3 for grant amount. Capped at €400,000 per vehicle.

NOTE: CIF value refers to the Cost, Insurance and Freight Value, as indicated in the respective invoice or receipt.

*** De Minimis Regulations apply.**

**** The General Block Exemption Regulation shall apply, except for those undertakings active in the fishery and aquaculture sector, in which case, the applicable de minimis Regulation shall apply.**

	Kategorija tal-Vettura Skrappjata	*Post tar-Reġistrazzjoni tal-Vettura Skrappjata*	
		Malta	*Għawdex**
1	L (Muturi)	€500	€500
2	M1 (Karozza) jew N1 (Vann)	€1,000	€2,000
3	M2 (Minibus)	€30,000	€31,000
4	N2 (Trakk żgħir)	€15,000	€16,000
5	M3 (Kowċ)	€50,000	€51,000
6	N3 (Trakk)	€25,000	€26,000

* Vehicle must have been registered, garaged, or licensed in Gozo prior to the 11th of October 2021.

NOTE: Incentives for vehicles scrapped by undertakings established in Malta or voluntary organisations which carry out any economic activity within the meaning of Article 107 TFEU, will be granted in line with the applicable de minimis Regulation, and the respective de minimis thresholds shall apply.

	Category of Scrapped Vehicle	*Place of Registration of Scrapped Vehicle*	
		Malta	*Gozo**
1	L (Motorcycles)	€500	€500
2	M1 (Car) or N1 (Van)	€1,000	€2,000
3	M2 (Minibus)	€30,000	€31,000
4	N2 (Small Truck)	€15,000	€16,000
5	M3 (Coach)	€50,000	€51,000
6	N3 (Truck)	€25,000	€26,000

*Il-vettura trid tkun ġiet irreġistrata, iggaraxxjata jew illiċenzjata f'Għawdex qabel il-11 ta' Ottubru 2021.

NOTA: Ir-Regolament de minimis applikabbli u l-limiti de minimis 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.

Table 3: Calculation of Incentives according to the General Block Exemption Regulation (GBER) [Not applicable to undertakings active in the fishery and aquaculture sector]

Tabella 3: Kalkolu tal-Inċentivi skont ir-Regolament għall-Eżenzjoni Ġenerali Sħiħa (GBER) [mhux applikabbli għal impriżi attivi fis-settur tas-sajd u tal-akkwakultura]

Daqs tal-Impriża					**Żgħira**	**Medja**	**Kbira**
Inċentiv bażiku bħala persentaġġ tal-investiment (L-ispejjeż ta' investiment huma d-differenza bejn l-ispiża tal-vettura elettrika l-ġdida u dik ta' vettura ekwivalenti b'magna konvenzjonali ta' kombustjoni interna)					60%	50%	40%
Inċentiv addizzjonali applikabbli għal applikanti stabbiliti u li joperaw minn waħda mil-lokalitajiet li ġejjin.						5%	
Il-Belt Valletta	Il-Birgu	L-Isla	Bormla	Il-Furjana			
Il-Kalkara	Ħal Luqa	Il-Marsa	Raħal Ġdid	Ħal Qormi			
Birkirkara	Il-Gżira	Pembroke	San Ġiljan	San Ġwann			
Tas-Sliema	Iż-Żejtun	Birżebbuġa	Ħal Kirkop	Marsaskala			
Marsaxlokk	Ħal Safi	L-Imdina	Ħaż-Żebbuġ (Malta)	Ħ'Attard			
Ħad-Dingli	Ir-Rabat (Malta)	Il-Mellieħa	Il-Mosta	In-Naxxar			
San Pawl il-Baħar	Kemmuna	Għawdex					

NOTA ĠENERALI: L-ammonti tal-għotja applikabbli għal vetturi bi skop speċjali (SP1) għandhom jiġu stabbiliti abbażi tal-massa massima permissibbli tal-vettura u l-limiti korrispondenti għal vetturi tal-Kategorija N.

Size of Single Undertaking					***Small***	***Medium***	***Large***
Basic Incentive as Percentage of Investment Cost (Investment costs are the difference between the cost of the new electric vehicle and that of an equivalent vehicle with a conventional internal combustion engine)					*60%*	*50%*	*40%*
Additional incentive applicable to applicants established in <u>and</u> operating from any of the following localities:						*5%*	
Il-Belt Valletta	*Il-Birgu*	*L-Isla*	*Bormla*	*Il-Furjana*			
Il-Kalkara	*Ħal Luqa*	*Il-Marsa*	*Raħal Ġdid*	*Ħal Qormi*			
Birkirkara	*Il-Gżira*	*Pembroke*	*San Ġiljan*	*San Ġwann*			
Tas-Sliema	*Iż-Żejtun*	*Birżebbuġa*	*Ħal Kirkop*	*Marsaskala*			
Marsaxlokk	*Ħal Safi*	*L-Imdina*	*Ħaż-Żebbuġ (Malta)*	*Ħ'Attard*			
Ħad-Dingli	*Ir-Rabat (Malta)*	*Il-Mellieħa*	*Il-Mosta*	*In-Naxxar*			
San Pawl il-Baħar	*Kemmuna*	*Għawdex*					

***GENERAL NOTE**: Incentives applicable for special purpose vehicles (SP1) shall be established based on the vehicle's maximum permissible mass and the corresponding limits for Category N vehicles.*

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