

Minister for Transport, Infrastructure and Capital Projects

Government Grant on the purchase of Wheelchair Accessible Vehicles to be used as Taxis or Vehicles for Hire with a Driver or Passenger Transport Vehicles.

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 as Taxis, or Vehicles for Hire with a Driver, or Passenger Transport Vehicles of new M1 or M2 Category vehicles which are wheelchair accessible so that persons who make use of wheelchairs may have easy and unaided access to these transport services.

Through this scheme persons who own a Taxi licence, a Public Service Garage licence for the hiring of Vehicles with a Driver or an Operator's Licence for the Carriage of Passengers by Passenger Transport Vehicles may receive a grant amounting to €10,000 when licensing a new M1 or M2 Category vehicle which is wheelchair accessible to be used as a Taxi, or as a Vehicle for Hire with a Driver or as a Passenger Transport Vehicle, and at the same time de-register another M1, N1 or M2 category vehicle which is at least 10 years old from its year of manufacture, which had a valid circulation licence issued in Malta for the past five years and which is registered and licensed in their name.

The scheme is deemed to have come into effect on the 1st of January 2019 and shall be limited to 10 vehicles – 5 which shall be registered as Taxis, and 5 which may be registered as Vehicles for Hire with a Driver or Passenger Transport Vehicles - on a first come first served basis. The scheme shall remain open until the 31st of December 2019 or until the allocated budget of €100,000 is exhausted.

The conditions of this scheme are without prejudice to the requirements stipulated in the Taxi Services Regulations (S.L.499.59), the Motor Vehicles Regulations (S.L.65.11), the Passenger Transport Services Regulations (S.L.499.56) and the Authority for Transport in Malta's standing Policy concerning the issuing of licences for Public Service Garages (PSG); and such requirements shall apply at all times unless otherwise specified.

The Scheme

1. Interpretation

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

'applicant' means the individual person, registered company or partnership applying for the grant under this scheme and who is the owner of a Taxi Licence, a Public Service Garage licence for the Hiring of Vehicles with a Driver, or an Operator Licence for the Carriage of Passengers;

'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);

'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 seats in addition to the driver's seat, and having a maximum mass not exceeding 5 tonnes;

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

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

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

‘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;

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

‘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;

‘grant’ means the grant being given under this scheme to the purchaser of a wheelchair accessible vehicle to be licensed as a Taxi, or as a Vehicle for Hire with a Driver, or as a passenger transport vehicle;

‘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;

‘Member State’ means a Member State of the European Union;

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

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

‘partnership’ includes an association, which is not registered under the Companies Act (Cap.386), between two or more persons;

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

‘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;

‘person’ means a natural person;

‘Public Service Garage Licence’ has the same meaning as is assigned to it in regulation 62 of the Motor Vehicles Regulations (S.L. 65.11);

‘Public Service Garage (PSG) Policy’ means a document published by the Authority for Transport in Malta which lays down the conditions for the issuing and running of a Public Service Garage Licence;

‘registered company’ has the same meaning as is assigned to it under Article 2 of the Companies Act (Cap. 386);

‘registered owner’ means the person, registered company or partnership in whose name a motor vehicle is registered by the Authority;

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

‘Vehicle for Hire with a Driver’ means a motor vehicle registered under a Public Service Garage Licence so that it may be hired out with a driver and, unless otherwise specified, does not include a self-drive vehicle for the purpose of being driven by the hirer;

‘vehicle registration certificate’ means the vehicle registration certificate issued by the Authority providing proof of registration of the motor vehicle;

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

2. Area of applicability

2.1 The scheme applies to persons residing in Malta, to registered companies and partnerships if that person, company or partnership:

- is the registered owner of a Taxi licence; or
- is the holder of a Public Service Garage licence; or
- is the holder of an Operator Licence for the Carriage of Passengers; and
- is the registered owner of an M1, N1 or M2 motor vehicle which is at least 10 years old from the year of manufacture and which had a valid circulation licence issued in Malta for the past five years, provided that such vehicle shall continue to be so registered and licensed until the date of application of the grant, and is de-registered at the time of the registration of the wheelchair accessible vehicle.

2.2. Every person, registered company or partnership shall be entitled to only one grant under this scheme.

3. Manner of application and supporting documents

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

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

- i. Before the vehicle is ordered, the applicant shall submit the following documents for the Authority’s approval:
 - the vehicle’s technical details;
 - form WAV1 duly filled and signed by the applicant;
 - copy of a legally valid identification document of the applicant;
 - details of the vehicle to be deregistered.
- ii. When the vehicle is ordered the applicant shall present the Authority with a copy of the order so that the grant may be reserved on his behalf;
- iii. When the vehicle arrives in Malta, the agent or the applicant shall submit the certificate of conformity, detailing the vehicle’s chassis number and technical details so that it can be registered and licensed for use on the road;
- iv. If the vehicle is to be licensed as a Taxi, the applicant shall also submit form TX-A1 indicating what shall happen to the vehicle registered under the Taxi Licence up to that moment;
- v. If the vehicle is to be registered as a Vehicle for hire with a Driver, the applicant shall submit the most recent Public Service Garage licence Certificate;
- vi. If the vehicle is to be registered as Passenger Transport Vehicle, the applicant shall submit form CPOL-A3 to add the vehicle under the applicant’s Operator’s Licence for the Carriage of Passengers;
- vii. At the same time when the wheelchair accessible vehicle is to be licensed for use on the road, the applicant shall submit a certificate of destruction issued by an authorised treatment facility certifying that the vehicle which is at least 10 years old from its year of manufacture and which had a licence issued in Malta for the past five years has been destroyed in the same facility and therefore may be de-registered by the Authority.

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

- i. Before the vehicle is ordered, the applicant shall submit the following documents for the Authority’s approval:
 - the vehicle’s technical details;
 - form WAV1 duly filled and signed by the applicant;

- a vehicle modification proposal prepared and signed by a warranted Mechanical Engineer;
 - copy of a legally valid identification document of the applicant;
 - details of the vehicle to be deregistered.
- ii. When the vehicle is ordered, the applicant shall present the Authority with a copy of the order so that the grant may be reserved on his behalf;
 - iii. When the vehicle arrives in Malta, the agent or the applicant shall submit the certificate of conformity, detailing the vehicle's chassis number and technical details so that it can be registered and garaged;
 - iv. The vehicle shall be immediately taken to the place where it shall be modified, and the modification shall be done according to the engineer's modification proposal as approved by the Authority;
 - v. The modified vehicle shall be presented for inspection at the Authority's Technical Unit, along with a report prepared by a warranted Mechanical Engineer certifying that the modifications done to the vehicle are safe;
 - vi. When the vehicle is approved by the Technical Unit, it may be licensed for use on the road;
 - vii. If the vehicle is to be licensed as a Taxi, the applicant shall also submit form TX-A1 indicating what shall happen to the vehicle registered under the Taxi Licence up to that moment;
 - viii. If the vehicle is to be registered as a Vehicle to be Hired with a Driver, the applicant shall submit the most recent Public Service Garage licence Certificate;
 - ix. If the vehicle is to be registered as Passenger Transport Vehicle, the applicant shall submit form CPOL-A3 to add the vehicle under the applicant's Operator's Licence for the Carriage of Passengers;
 - x. At the same time when the wheelchair accessible vehicle is to be licensed for use on the road, the applicant shall submit a certificate of destruction issued by an authorised treatment facility certifying that the vehicle which is at least 10 years old from its year of manufacture and which had a valid licence issued in Malta for the past five years has been destroyed in the same facility and therefore may be de-registered by the Authority.

- (ii) Applications under this scheme, together with all the relevant documents, shall be submitted or sent by the applicant to the Road Transport Licensing Unit, Transport Malta, Level 0, A3 Towers, Arcade Street, Paola between 7.30 a.m. and 3.00 p.m. during working days.

4. Eligibility

- (i) To be eligible, an applicant shall conform with subsections 2.1 and 2.2 of Section 2, and with all applicable conditions and regulations stipulated in the Taxi Services Regulations (S.L.499.59), the Motor Vehicles Regulations (S.L.65.11), the Passenger Transport Services Regulations (S.L.499.56) and PSG Policy of the Authority for Transport in Malta;
- (ii) To qualify for the grant, a wheelchair accessible vehicle shall be:
 - a) a new M1 or M2 category motor vehicle complying with Euro Standard 6 in accordance with Regulation (EC) No. 459/2012, as certified on the vehicle's Certificate of Conformity;
 - b) manufactured in a way so that a person using a wheelchair may access the vehicle easily and unaided, and may be transported in the vehicle safely; or
 - c) modified locally, as approved by the Authority's Technical Unit, so that a person using a wheelchair may access the vehicle easily and unaided, and may be transported in the vehicle safely. Such modification shall not take longer than 3 months from the date of the vehicle's registration in Malta to be completed;
 - d) licensed for use on the road as a taxi, a vehicle for hire with a driver or a passenger transport vehicle by not later than 31st December 2019.
- (iii) To qualify, a motor vehicle that shall be de-registered shall:

- a) have at least ten (10) years on the date of application, with the age being calculated by deducting the vehicle's year of manufacture shown on the vehicle's registration certificate from the year in which the application is submitted;
- b) have been licensed in Malta for the past five years and issued with a circulation licence by the Authority 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 to be de-registered in terms of Part VIII of the Registration and Licensing of Motor Vehicles Regulations (S.L.368.02) not more than 5 working days before the wheelchair accessible vehicle is registered.

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

(v) The scheme will be limited to:

- (i) 5 taxi vehicles; and
- (ii) 5 vehicles for hire with a driver or passenger transport vehicle;

on a first-come-first-served basis.

5. Payment of Grant

Where an applicant qualifies for the grant, such grant shall be paid directly to that applicant when the wheelchair accessible vehicle is licensed for the first time as a Taxi, or as a Vehicle for Hire with a Driver, or as a Passenger Transport Vehicle.

6. Validity of application

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

7. Refunding of grant

The new motor vehicle purchased by the applicant for the grant shall remain registered in his name as a Taxi, or as a Vehicle for Hire with a Driver, or as a Passenger Transport Vehicle for a period of at least thirty-six (36) months from the date of first registration. If the registered owner of a wheelchair accessible vehicle on which a grant has been granted under this scheme transfers the said vehicle for any reason, other than a transfer *causa mortis* to an heir to a third party, or does not keep the wheelchair accessible vehicle licensed as a Taxi, or as a Vehicle for Hire with a Driver, or as a Passenger Transport Vehicle before the expiry of the thirty-six month period, then that person shall refund the grant received to the Authority.

8. Duration of scheme

This scheme shall remain in force until the 31st December 2019 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 reach the amount of €100,000.

9. Amendments to the scheme

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

10. *Fraudulent claims*

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