



STATUTORY INSTRUMENTS.

S.I. No. 686 of 2019



DISABLED DRIVERS AND DISABLED PASSENGERS FUEL GRANT
(AMENDMENT) REGULATIONS 2019

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I, PASCHAL DONOHOE, Minister for Finance, after consultation with the Minister for Health and the Data Protection Commission, in exercise of the powers conferred on me by section 81 of the Finance Act 2015 (No. 52 of 2015) and having had regard to the matters set out in subsections (3) and (4) of that section, hereby make the following regulations:

1. These Regulations may be cited as the Disabled Drivers and Disabled Passengers Fuel Grant (Amendment) Regulations 2019.

2. The Disabled Drivers and Disabled Passengers Fuel Grant Regulations 2015 (S.I. No. 635 of 2015) are amended -

- (a) in Regulation 2, by deleting the definitions of ‘data controller’ and ‘disclosure’,
- (b) in Regulation 5, by substituting the following paragraph for paragraph (1):

“(1) The fuel grant may be paid to an eligible person in respect of hydrocarbon oil used in a qualifying vehicle or qualifying vehicle (organisation) where the use of the hydrocarbon oil was related to the transportation of the disabled person or persons concerned whether as a disabled driver or a disabled passenger in a qualifying vehicle or qualifying vehicle (organisation) at the rate, based on the type of hydrocarbon oil used, which is set out –

- (a) in the case of hydrocarbon oil purchased on or before 31 December 2019, in Schedule 1, and
 - (b) in the case of hydrocarbon oil purchased on or after 1 January 2020, in Schedule 2.”,
- (c) in Regulation 7, by substituting the following paragraphs for paragraphs (1) and (2):

“(1) An eligible person, when making the application referred to in Regulation 6 in respect of a qualifying vehicle, shall be required to furnish the following information to the Commissioners:

- (a) the vehicle registration number of the qualifying vehicle concerned;

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 7th January, 2020.*

- (b) the personal public service number of the eligible person;
- (c) the name, telephone number and postal address of the eligible person;
- (d) the email address (if any) of the eligible person;
- (e) the quantity of hydrocarbon oil which was used in the transportation of the disabled person or persons concerned whether as a disabled driver or as a disabled passenger in the qualifying vehicle concerned;
- (f) the type of hydrocarbon oil used in the qualifying vehicle concerned;
- (g) the bank details of the eligible person;
- (h) the period of time to which the application relates;
- (i) such further information as the Commissioners shall request where necessary for the purposes of the proper consideration of the application.

(2) An eligible person, when making the application referred to in Regulation 6 in respect of a qualifying vehicle (organisation), shall be required to furnish the following information to the Commissioners:

- (a) the vehicle registration number of the qualifying vehicle (organisation) concerned;
- (b) the tax reference number of the eligible person;
- (c) the name, telephone number and postal address of the eligible person;
- (d) the email address (if any) of the eligible person;
- (e) the quantity of hydrocarbon oil which was used in the transportation of the disabled person or persons concerned whether as a disabled driver or as a disabled passenger in the qualifying vehicle (organisation) concerned;
- (f) the type of hydrocarbon oil used in the qualifying vehicle (organisation) concerned;
- (g) the bank details of the eligible person;
- (h) the period of time to which the application relates;
- (i) such further information as the Commissioners shall request where necessary for the purposes of the proper consideration of the application.”

(d) in Regulation 8 -

(i) by substituting the following paragraph for paragraph (1):

“(1) For the purposes of facilitating the payment of the fuel grant and determining whether any overpayment or erroneous payment has been made, the Commissioners shall provide to the Minister the information referred to in -

(a) subparagraphs (a) to (c) and (e) to (h) of Regulation 7(1), and

(b) subparagraphs (a) to (c) and (e) to (h) of Regulation 7(2).”

(ii) in paragraph (2), by substituting “controller” for “data controller”, and

(iii) by inserting the following paragraph after paragraph (2):

“(3) In this Regulation -

‘controller’ has the same meaning as in the Data Protection Regulation;

‘Data Protection Regulation’ means Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016¹ on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation);

‘disclosure’ has the same meaning as in the Data Protection Regulation.”

and

(e) by substituting the following for the Schedule:

¹ OJ No. L119, 4.5.2016, p.1

“SCHEDULE 1

Rates of fuel grant payable by type of hydrocarbon oil purchased on or before
31 December 2019

| Fuel Type | Rate per litre |
|-------------------------|-----------------------|
| Petrol | €0.59 |
| Heavy Oil | €0.48 |
| Liquefied petroleum gas | €0.10 |

SCHEDULE 2

Rates of fuel grant payable by type of hydrocarbon oil purchased on or after 1
January 2020

| Fuel Type | Rate per litre |
|-------------------------|-----------------------|
| Petrol | €0.602 |
| Heavy Oil | €0.495 |
| Liquefied petroleum gas | €0.106 |

”.



GIVEN under my Official Seal,
23 December, 2019.

PASCHAL DONOHOE,
Minister for Finance.

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation.)

This Statutory Instrument amends S.I. 635 of 2015 to facilitate the administration of the Disabled Drivers and Disabled Passengers Fuel Grant Scheme and to increase the rates payable under the Scheme on fuel purchased from the 1st January 2020.

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DUBLIN
PUBLISHED BY THE STATIONERY OFFICE
To be purchased from
GOVERNMENT PUBLICATIONS,
52 ST. STEPHEN'S GREEN, DUBLIN 2,
D02 DR67.

Tel: 076 110 6834
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