



STATUTORY INSTRUMENTS.

S.I. No. 287 of 2015



NATIONAL VEHICLE AND DRIVER FILE (ACCESS) (NO. 2)
REGULATIONS 2015

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I, PASCHAL DONOHOE, Minister for Transport, Tourism and Sport, in exercise of the powers conferred on me by section 60(3) of the Finance Act 1993 (No. 13 of 1993), subsection (4)(b)(ii) of section 22(4) (inserted by section 57(1) of the Road Traffic Act 2010 (No. 25 of 2010)) of the Road Traffic Act 1961 (No. 24 of 1961) and the Roads and Road Vehicles (Transfer of Departmental Administration and Ministerial Functions) Order 2007 (S.I. No. 815 of 2007) (as adapted by the Transport (Alteration of Name of Department and Title of Minister) Order 2011 (S.I. No. 141 of 2011)), hereby make the following regulations:

1. These Regulations may be cited as the National Vehicle and Driver File (Access) (No. 2) Regulations 2015.
2. The persons or categories of persons mentioned in column (2) of the Schedule are prescribed under section 60(3) of the Finance Act 1993 (No. 13 of 1993) and under section 22(4) (inserted by section 57(1) of the Road Traffic Act 2010 (No. 25 of 2010)) of the Road Traffic Act 1961 (No. 24 of 1961) for the purposes mentioned in column (3) of the Schedule at the same reference number in column (1).
3. The National Vehicle and Driver File (Access) Regulations 2015 (S.I. No. 64 of 2015) are revoked.

*Notice of the making of this Statutory Instrument was published in
"Iris Oifigiúil" of 14th July, 2015.*

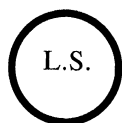
SCHEDULE

Regulation 2

Persons or categories of persons who may have access to National Vehicle and Driver File

Reference Number (1)	Person or Category of Person (2)	Purpose for Access (3)
1.	A person named in an agreement entered into under paragraph (a) of subsection (23) of section 103 (inserted by section 18(1) of the Road Traffic Act 2004 (No. 44 of 2004)) of the Road Traffic Act 1961 (No. 24 of 1961)	Verifying vehicle driver identity in connection with payments made under section 103 of the Road Traffic Act 1961.
2.	National Transport Authority	Assisting in the execution of the regulatory framework for the control and operation of small public service vehicles and their drivers under the Taxi Regulation Act 2003 (No. 25 of 2003).
3.	Road Safety Authority and persons named in an agreement entered into under subsection (1) of section 5 of the Road Safety Authority Act 2006 (No. 14 of 2006)	Assisting with the carrying out of functions under section 4 (as amended by section 49 of the Road Safety Authority (Commercial Vehicle Roadworthiness) Act 2012 (No. 16 of 2012)) of the Road Safety Authority Act 2006.
4.	Department of Regional Development of Northern Ireland	Enforcing parking fines and bus lane contraventions committed in Northern Ireland by the owners of mechanically propelled vehicles registered in the State.
5.	Motor vehicle manufacturers and motor vehicle distributors with a place of business in the State	Identifying registered owners of mechanically propelled vehicles to facilitate actions for the remediation of mechanical faults which potentially endanger the health and safety of drivers, passengers or other persons.
6.	National Consumer Agency	Assisting with investigations into commercial practices connected with mechanically propelled vehicles under the Consumer Protection Act 2007 (No. 19 of 2007).
7.	Health and Safety Authority	Assisting in the exercise of its functions under the Safety, Health and Welfare at Work Act 2005 (No. 10 of 2005) and the European Communities (Carriage of Dangerous Goods by Road and Use of Transportable Pressure Equipment) Regulations 2011 (S.I. No. 349 of 2011).
8.	Motor Insurers' Bureau of Ireland	Assisting in the exercise of its functions under the European Communities (Fourth Motor Insurance Directive) Regulations 2003 (S.I. No. 651 of 2003).
9.	A local authority within the meaning of the Local Government Act 2001 (No. 37 of 2001)	Identifying the registered owners of mechanically propelled vehicles connected to alleged offences under the Local Authorities (Traffic Wardens) Act 1975 (No. 14 of 1975), the Waste Management Act 1996 (No. 10 of 1996) and the Litter Pollution Act 1997 (No. 12 of 1997).

Reference Number (1)	Person or Category of Person (2)	Purpose for Access (3)
10.	Persons approved by the Department of Transport Tourism and Sport who are party to an agreement entered into with that Department	Assisting in the provision of a commercial service with regard to the identity, roadworthiness test results and vehicle odometer verification checks of mechanically propelled vehicles.
11.	Tribunals of Inquiry	Assisting a Tribunal of Inquiry established under the Tribunals of Inquiry (Evidence) Acts 1921 to 2011.
12.	Office of the Provost Marshal for the Military Police of the Defence Forces	Assisting with the acquisition of data relating to a mechanically propelled vehicle necessary for the exercise of functions under section 171 of the Defence Act 1954 (No. 18 of 1954) in respect of investigations connected with a contravention of any provision of that Act.
13.	A company formed under the Companies Acts pursuant to section 7 of the Harbours Act 1996 (No.11 of 1996)	Identifying the registered owners of mechanically propelled vehicles in connection with alleged offences contravening any provision concerning a mechanically propelled vehicle contained in bye — laws made under section 42 (as amended by section 58(c) of the Maritime Safety Act 2005 (No. 11 of 2005)) of the Harbours Act 1996.
14.	An authorised officer in relation to a State airport	(1) Identifying the registered owners of mechanically propelled vehicles in connection with— (a) (i) offences for alleged contraventions of bye-laws made under section 15(1) or (ii) declarations made under section 27A, of the State Airports Act 2004 (No. 32 of 2004) (as amended by Part 7 of the State Airports (Shannon Group) Act 2014 (No. 27 of 2014), or (b) offences under section 47(4) of the State Airports (Shannon Group) Act 2014. (2) Identifying the holder of a driving licence or learner permit for the purposes of section 48 of the State Airports (Shannon Group) Act 2014.
15.	Office of the Official Assignee in Bankruptcy	Assisting in the carrying out of functions of the Official Assignee in Bankruptcy under the Bankruptcy Act 1988 (No. 27 of 1988) and the Personal Insolvency Act 2012 (No. 44 of 2012).
16.	The Courts Service	Establishing and verifying the licence (within the meaning of the Road Traffic Act 2002 (No. 12 of 2002)) details of persons in connection with offences under the Road Traffic Acts 1961 to 2014.



GIVEN under my Official Seal,
9 July 2015.

PASCHAL DONOHOE,
Minister for Transport, Tourism and Sport.

EXPLANATORY NOTE

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

These Regulations prescribe the persons or categories of person who may have access to the National Vehicle and Driver File records established under section 60 of the Finance Act, 1993 and the purpose for such access.

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