



Licensed Haulage Support Scheme 2023

Purpose of Aid, Eligibility Criteria & Terms & Conditions

You must accept the below terms and conditions to qualify for payment under the Scheme.

The Department of Transport is entitled to waive or vary the terms and conditions applicable to the Scheme without prejudice to its rights and any other requirements or criteria.

PURPOSE OF AID

This aid is being provided under the Licenced Haulage Support Scheme 2023 (the Scheme) to address cost pressures for licensed hauliers, to ensure sufficient liquidity remains available to haulage businesses and to compensate haulage operators for the additional costs incurred during a sustained period of high fuel prices.

ELIGIBILITY CRITERIA

Intending applicants should read the eligibility criteria set out below to ensure they meet the qualifying criteria for the Scheme before applying.

To be eligible for the Scheme, a qualifying applicant must meet each of the following criteria

- **Business Type:** An applicant must have held, on 15 December 2022, a valid road haulage operator licence issued by the Road Transport Operator Licensing Unit of the Department of Transport in accordance with Section 2 of the Road Traffic and Transport Act 2006.
- **Current operations:** The applicant must be operating as a going concern with a valid road haulage operator licence at the time of application.
- **Insolvency:** At the time of application, the business must not have commenced (or is not expected to commence) any steps to insolvency/liquidation proceedings.
- **Tax status:** The applicant must be established and registered for tax in the State with tax clearance status at the time of application. The applicant will be required to supply their tax reference number as part of the application process. Tax clearance status will be checked with the Revenue Commissioners as part of the administration of the Scheme. Where an applicant does not possess valid tax clearance status, they will not receive a payment under the Scheme.
- **Vehicles in respect of which aid may be granted:** A payment under the Scheme will only be made in respect of eligible heavy goods vehicles authorised on the road haulage licence of a qualifying applicant as of 15 December 2022.



TERMS & CONDITIONS

Application window

Applications may be submitted to the Department between 23 March and 31 May 2023.

It is the sole responsibility of the applicant to ensure that correct and complete information is submitted in respect of an application.

The closing date for applications is 11:59pm GMT on 31 May 2023. Late or incomplete applications will not be entertained after this date.

Payment of Aid

The total grant payment for each qualifying applicant will be calculated based on the below graduated payment table:

Payment	Vehicles Band
€1,200 per vehicle	up to and including 5 vehicles per operator
€700 per vehicle	for vehicles 6 to 20 per operator
€200 per vehicle	€200 per vehicle for vehicles 21+

Please note the bank account information provided by you in the application form must be the main business bank account of the licenced operator. We may use technology solutions to assist us in verifying that the bank account details provided are valid.

If an applicant previously received aid under the Licensed Haulage Emergency Support Scheme in 2022, the Department may, with the applicant's agreement, use the information provided by the applicant in respect of that scheme for the purposes of administering the current Scheme and making payments.

Ulster Bank / KBC Bank Closure

In 2021 KBC Bank and Ulster Bank announced their intentions to withdraw from the Irish market.

Ulster Bank has confirmed they have started to freeze some current and deposit accounts from Friday 11 November 2022.

If you previously received payment under the Licensed Haulage Emergency Support Scheme in 2022 to an Ulster Bank or KBC Bank account, you should inform us of any new bank account information



during the application process. The application form will ask you for bank account details. The Department may follow up with you by phone to verify the updated account information.

Further Information in respect of Application

The Department reserves the right to seek further information from the applicant if required.

State Aid

The Scheme will be operated in accordance with relevant EU State Aid rules. On 23 March 2022, the European Commission adopted the Temporary Crisis Framework (TCF) for State aid measures to support the economy following the aggression against Ukraine by Russia to enable Member States to use the flexibility foreseen under State Aid rules to support the economy in the context of Russia's invasion of Ukraine.

Aid granted under this Scheme will be granted in accordance with Section 2.1 of the TCF.

The Scheme will comply with the monitoring and reporting provisions in Section 3 of the TCF.

Applicants are required to provide information on State Aid received by them since 1 January 2020. The Department may seek further information from an applicant where required.

Please note that details of the following aid measures do **not** need to be notified in the application form for the purpose of this Scheme:

- The Licensed Haulage Emergency Support Scheme 2022;
- The Diesel Rebate Scheme;
- The Temporary COVID-19 Wage Subsidy Scheme (TWSS); or
- The Employment Wage Subsidy Scheme (EWSS).

If you are unsure whether you received State Aid that needs to be reported to the Department for the purposes of this Scheme, please enter the details at the appropriate question in the application form. The Department will review the information and will contact you in case further details are required.

Concept of Single Undertaking/Economic Unit for State Aid purposes

Several separate legal entities may be considered to form one economic unit for the purposes of the application of State Aid rules. That economic unit is then considered to be the relevant undertaking. In this respect, the European Court of Justice considers the existence of a controlling share and other functional, economic and organic links to be relevant.



An undertaking is defined as any entity engaged in an economic activity, regardless of its legal status and the way in which it is financed. All entities which are controlled (on a legal or on a de facto basis) by the same entity should be considered as a single undertaking.

Please note a 'single undertaking' includes 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 into with that enterprise or to a provision in its memorandum or articles of association;
- d) one enterprise, which is a shareholder in or member of another enterprise, controls alone, pursuant to an agreement with other shareholders in or members of that enterprise, a majority of shareholders' or members' voting rights in that enterprise.

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

Publication of Individual State Aid above €100k

As per Section 3 of the TCF, the Department has an obligation to publish relevant information on each individual aid above €100k granted under the Scheme on the EU Commission's IT tool within 12 months from the moment of granting. Grant awards may be published on the European Commission's Transparency Module including:

- the name of the grantee;
- region in which the beneficiary is located;
- grant amount expressed as full amount in national currency;
- granting authority and date of granting.

Freedom of Information Act 2014

Under the Freedom of Information Act 2014, details contained in applications and supporting documents may, on request, be released to third parties. If a request to release sensitive information under the legislation is received, you will be consulted before a decision is made on whether or not to release the information.



Audit

The Department reserves the right to carry out an audit of expenditure or conduct inspections from time to time. In addition, the Office of the Comptroller and Auditor General reserves the right to inspect documentation as per conditions in D/PER Circular 13/2014.

Declaration:

Question 1 of the application form will ask you to confirm that you meet the eligibility criteria and agree to the Terms and Conditions of the Licensed Haulage Support Scheme 2023.

Question 2 of the application form will ask you to provide consent that your data will be processed in line with the Licensed Haulage Support Scheme 2023 Privacy Notice.

You must confirm your agreement to Question 1 and Question 2 on the application form to qualify for payment under the Scheme.

Please note it is your responsibility to provide correct information in your application.