



Number 5 of 2003

MOTOR VEHICLE (DUTIES AND LICENCES) ACT 2003

ARRANGEMENT OF SECTIONS

Section

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9. Short title.

SCHEDULE

[No. 5.]

*Motor Vehicle (Duties and
Licences) Act 2003.*

[2003.]

ACTS REFERRED TO

Finance (Excise Duties) (Vehicles) Act 1952	1952, No. 24
Finance (No. 2) Act 1992	1992, No. 28
Finance Act 1993	1993, No. 13
Finance Act 1994	1994, No. 13
Motor Vehicle (Duties and Licences) Act 2001	2001, No. 22
Road Traffic Act 1961	1961, No. 24



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MOTOR VEHICLE (DUTIES AND LICENCES) ACT 2003

AN ACT TO AMEND AND EXTEND THE FINANCE (EXCISE DUTIES) (VEHICLES) ACT 1952 AND THE FINANCE (NO. 2) ACT 1992 IN RESPECT OF CERTAIN DUTIES OR LICENCES LEVIABLE OR ISSUABLE THEREUNDER AND TO PROVIDE FOR RELATED MATTERS.

[10th April, 2003]

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS:

1.—(1) In this Act—

Interpretation.

“Act of 1952” means the Finance (Excise Duties) (Vehicles) Act 1952;

“Act of 2001” means the Motor Vehicle (Duties and Licences) Act 2001;

“Minister” means the Minister for the Environment and Local Government.

(2) In this Act—

(a) a reference to a section is a reference to a section of this Act unless it is indicated that reference to some other enactment is intended,

(b) a reference to any enactment is a reference to that enactment as amended, extended or adapted by or under any subsequent enactment (including this Act).

2.—*Sections 3 to 6* apply as respects licences taken out, under section 1 of the Act of 1952 or, as the case may be, the provision concerned of the Finance (No. 2) Act 1992, for periods beginning on or after 1 January 2003.

Application of sections 3 to 6.

3.—(1) Section 1 (as amended by the Act of 2001) of the Act of 1952 is amended by substituting the following subsection for subsection (2):

Amendment of section 1 of Act of 1952.

“(2) (a) Subject to paragraph (b) of this subsection, the duties charged under this section shall be paid annually

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S.3 upon licences to be taken out by the person keeping the vehicle.

(b) A licence may be taken out in respect of a vehicle (not being a tramcar or a vehicle on which a duty of €114 or less is chargeable) for such periods of the year and on payment of duty at such rates as the Minister for the Environment and Local Government may by regulations prescribe, but—

(i) a rate of duty so prescribed shall be such as to bear to the full annual duty no less proportion than the period of the licence bears to a year, and

(ii) the rate of duty so prescribed for a licence for a vehicle for one quarter of the year only shall not exceed 30 per cent of the full annual duty.”.

(2) Any regulations under subsection (2) of section 1 of the Act of 1952 that are in force immediately before the commencement of this section shall continue in force as if made under the subsection inserted by this section and may be amended or revoked accordingly.

Amendment of Part I of Schedule to Act of 1952. **4.**—The Schedule to the Act of 1952 is amended by substituting the Part set out in the *Schedule* to this Act for Part I (inserted by the Act of 2001) of the first-mentioned Schedule.

Amendment of Part II of Schedule to Act of 1952. **5.**—Part II of the Schedule (as amended by the Act of 2001) to the Act of 1952 is amended by substituting the following paragraph for paragraph 5:

“5. Where the applicant for a licence under section 1 of this Act satisfies the licensing authority that the vehicle in respect of which the licence is sought was constructed more than 30 years prior to the commencement of the period in respect of which the licence is sought the annual rate of duty shall, notwithstanding Part I of this Schedule, be—

(i) €18 where, apart from this paragraph, paragraph 1 of Part I of this Schedule would apply to the vehicle, and

(ii) €40 in respect of any other vehicle.”.

Amendment of section 21(3) of Finance (No. 2) Act 1992. **6.**—Section 21 (as amended by the Act of 2001) of the Finance (No. 2) Act 1992 is amended by substituting the following subsection for subsection (3):

“(3) (a) There shall be charged, levied and paid on a trade licence a duty of excise of—

(i) in the case of a licence for exhibition only on a motor-cycle, €43,

(ii) in the case of a licence for exhibition only on any other vehicle, €255.

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- (b) There shall be charged, levied and paid on a trade licence issued in place of a trade licence that has been lost, stolen or destroyed a duty of excise of—
- (i) in the case of a licence for exhibition only on a motor-cycle, €28,
 - (ii) in the case of a licence for exhibition only on any other vehicle, €62.”.

7.—Section 60 (as amended by the Finance Act 1994) of the Finance Act 1993 is amended, in subsections (1)(a) and (2)(a), by substituting “, driving licences and provisional licences under Part III of the Act of 1961 and information derived from the register.” for “and driving licences and provisional licences under Part III of the Act of 1961.”. Amendment of section 60 of Finance Act 1993.

8.—(1) Article 3 of the Road Vehicles (Registration and Licensing) Order 1958 (S.I. No. 15 of 1958) is amended by inserting in the definition of “licensing authority”, after “county borough”, “or, unless the context other requires, the Minister”. Amendment of Road Vehicles (Registration and Licensing) Order 1958.

(2) This section comes into operation on such day as the Minister may appoint by order.

9.—This Act may be cited as the Motor Vehicle (Duties and Licences) Act 2003. Short title.

SCHEDULE

“Part 1

DESCRIPTION OF VEHICLE

	Rate of Duty
1. Vehicles of the following descriptions not exceeding 500 kilograms in weight unladen:	
(a) bicycles (other than bicycles which are electrically propelled), or tricycles (other than tricycles neither constructed nor adapted for use nor used for the carriage of a passenger), of which the cylinder capacity of the engine—	
(i) does not exceed 75 cubic centimetres	€35
(ii) exceeds 75 cubic centimetres but does not exceed 200 cubic centimetres	€49
(iii) exceeds 200 cubic centimetres	€64
(b) bicycles or tricycles which are electrically propelled	€30
(c) vehicles with three or more wheels neither constructed nor adapted for use nor used for the carriage of a driver or passenger	€64.
2. (a) Vehicles (commonly known as dumpers) not exceeding 3 metres cubed in capacity, level loaded, designed and constructed for use on sites of construction works (including road construction and house and other building works) for the purpose of conveying concrete, rubble, earth or other like material where the person taking out the licence shows to the satisfaction of the licensing authority that the vehicle is used mainly on such sites, and on public roads only—	
(i) for the purpose of proceeding to and from the site where it is to be used, and when so proceeding neither carries nor hauls any load other than such as is necessary for its propulsion or equipment, or	
(ii) for the purpose of conveying concrete, rubble, earth or like material for a distance of not more than one kilometre to and from any such site	€74
(b) Vehicles (commonly known as off-road dumpers) exceeding 3 metres cubed in capacity, level loaded, designed and constructed primarily for use on sites of construction works (including road construction and house and other building works) for the purpose of conveying concrete, rubble, earth or other like material and incapable by reason of their design and construction of exceeding a speed of 55 kilometres per hour on a level road under their own power and which are the subject of special permits under article 17 of the Road Traffic (Construction, Equipment and Use of Vehicles) Regulations 1963 (S.I. No. 190 of 1963)	€641
(c) Any vehicle (other than a vehicle constructed or adapted for use and used for the conveyance of a machine, workshop, contrivance or implement, by or in which goods being conveyed by such vehicle are processed or manufactured while the vehicle is in motion) constructed or adapted for use and used only for the conveyance of a machine, workshop, contrivance or implement (being a machine, workshop, contrivance or implement which is built in as part of the vehicle or otherwise permanently attached thereto) and no other load except articles used in connection with such machine, workshop, contrivance or implement or goods processed or manufactured therein including any vehicle (commonly known as a recovery vehicle) constructed or permanently adapted for the purposes of lifting, towing and transporting a disabled vehicle or for any one or more of those purposes	€241

	Rate of Duty	SCH.
(d) Vehicles (commonly known as forklift trucks) designed and constructed for the purpose of loading and unloading goods where the person taking out the licence shows to the satisfaction of the licensing authority that the vehicle is used on public roads only—		
(i) for the purpose of proceeding to and from the site where it is to be used for loading and unloading, and when so proceeding neither carries nor hauls any load other than such as is necessary for its propulsion or equipment, or		
(ii) as part of the process of loading or unloading, for the purpose of conveying goods for a distance of not more than one kilometre to and from the site where it is loading or unloading	€74.	
3. (a) Vehicles constructed or adapted for the carriage of more than 8 persons which are owned by a youth or community organisation and which are used exclusively by the organisation solely for the purpose of conveying persons on journeys directly related to the activities of the organisation and which have seating capacity for—		
(i) more than 8 persons but not more than 20 persons	€111	
(ii) more than 20 persons but not more than 40 persons	€146	
(iii) more than 40 persons but not more than 60 persons	€292	
(iv) more than 60 persons	€292	
(b) Vehicles (other than those referred to in subparagraph (c) of this paragraph) used as large public service vehicles within the meaning of the Road Traffic Act 1961 and having seating capacity for—		
(i) more than 8 persons but not more than 20 persons	€111	
(ii) more than 20 persons but not more than 40 persons	€146	
(iii) more than 40 persons but not more than 60 persons	€292	
(iv) more than 60 persons	€292	
(c) Vehicles which are large public service vehicles within the meaning of the Road Traffic Act 1961 and which are used only for the carriage of children, or children and teachers, being carried to or from school or to or from school-related physical education activities, and are either licensed under Article 60 of the Road Traffic (Public Service Vehicles) Regulations 1963 (S.I. No. 191 of 1963) as amended, or owned or operated by a statutory transport undertaking	€69.	
4. Vehicles of the following descriptions:		
(a) vehicles designed, constructed and used for the purpose of trench digging or any kind of excavating or shovelling work which—		
(i) are used on public roads only for that purpose or the purpose of proceeding to and from the place where they are to be used for that purpose, and		
(ii) when so proceeding neither carry nor haul any load other than such as is necessary for their propulsion or equipment	€74	
(b) tractors (being tractors designed and constructed primarily for use otherwise than on roads and incapable by reason of their construction of exceeding a speed of 50 kilometres per hour on a level road under their own power) and agricultural engines, not being tractors or engines used for hauling on roads any objects except their own necessary gear, threshing appliances, farming implements or supplies of fuel or water required for the purposes of the vehicles or agricultural purposes	€74	

SCH.

	Rate of Duty
<p>(c) tractors (being tractors designed and constructed primarily for use otherwise than on roads and incapable by reason of their construction of exceeding a speed of 50 kilometres per hour on a level road under their own power and not being tractors in respect of which a duty is chargeable at the rate specified in subparagraph (b) of this paragraph) which are used for haulage in connection with agriculture and for no other purpose</p> <p>Where a tractor is fitted with a detachable platform, container or implement (being a platform, container or implement used primarily for farm work), goods or burden of any other description conveyed on or in the platform, container or implement shall be regarded for the purposes of this subparagraph as being hauled by the tractor,</p>	€74
<p>(d) tractors of any other description</p>	€241
<p>(e) motor caravans, being vehicles which are shown to the satisfaction of the Revenue Commissioners to be designed, constructed or adapted to provide temporary living accommodation which has an interior height of not less than 1.8 metres when measured in such manner as may be approved by the Revenue Commissioners and, in respect of which vehicles, such design, construction or adaptation incorporates the following permanently fitted equipment—</p> <p style="margin-left: 2em;">(i) a sink unit,</p> <p style="margin-left: 2em;">(ii) cooking equipment of not less than a hob with 2 rings or such other cooking equipment as may be prescribed, and</p> <p style="margin-left: 2em;">(iii) any other equipment or fittings as may be prescribed</p>	€74
<p>(f) vehicles which are kept and used exclusively on an offshore island to which there is no direct road or bridge access from the mainland</p>	€74.
<p>5. Vehicles (including tricycles weighing more than 500 kilograms unladen) constructed or adapted for use and used for the conveyance of goods or burden of any other description in the course of trade or business (including agriculture and the performance by a local or public authority of its functions) and vehicles constructed or adapted for use and used for the conveyance of a machine, workshop, contrivance or implement by or in which goods being conveyed by such vehicles are processed or manufactured while the vehicles are in motion:</p>	
<p>(a) being vehicles which are electrically propelled and which do not exceed 1,500 kilograms in weight unladen</p>	€76
<p>(b) being vehicles which are not such electrically propelled vehicles as aforesaid and which have a weight unladen—</p> <p style="margin-left: 2em;">(i) not exceeding 3,000 kilograms</p> <p style="margin-left: 2em;">(ii) exceeding 3,000 kilograms but not exceeding 4,000 kilograms</p> <p style="margin-left: 2em;">(iii) exceeding 4,000 kilograms but not exceeding 5,000 kilograms</p> <p style="margin-left: 2em;">(iv) exceeding 5,000 kilograms but not exceeding 6,000 kilograms</p> <p style="margin-left: 2em;">(v) exceeding 6,000 kilograms but not exceeding 7,000 kilograms</p> <p style="margin-left: 2em;">(vi) exceeding 7,000 kilograms but not exceeding 8,000 kilograms</p>	<p>€241</p> <p>€305</p> <p>€393</p> <p>€545</p> <p>€737</p> <p>€928</p>

	Rate of Duty	SCH.
(vii) exceeding 8,000 kilograms but not exceeding 20,000 kilograms	€928 plus €218 for each 1,000 kilog- rams or part thereof in excess of 8,000 kilograms	
(viii) exceeding 20,000 kilograms	€3,760.	
6. Vehicles other than those charged with duty under the foregoing provisions of this Part of this Schedule:		
(a) any vehicle which is used as a hearse and for no other purpose	€74	
(b) any vehicle (excluding a taxi) which is used as a small public service vehicle within the meaning of the Road Traffic Act 1961 and for no other purpose	€69	
(c) any vehicle which is fitted with a taximeter and is lawfully used as a street service vehicle within the meaning of the Road Traffic Act 1961 and for purposes incidental to such use and for no other purpose	€69	
(d) other vehicles to which this paragraph applies and which have an engine capacity—		
(i) not exceeding 1,000 cubic centimetres	€144	
(ii) exceeding 1,000 cubic centimetres but not exceeding 1,100 cubic centimetres	€216	
(iii) exceeding 1,100 cubic centimetres but not exceeding 1,200 cubic centimetres	€239	
(iv) exceeding 1,200 cubic centimetres but not exceeding 1,300 cubic centimetres	€259	
(v) exceeding 1,300 cubic centimetres but not exceeding 1,400 cubic centimetres	€278	
(vi) exceeding 1,400 cubic centimetres but not exceeding 1,500 cubic centimetres	€298	
(vii) exceeding 1,500 cubic centimetres but not exceeding 1,600 cubic centimetres	€372	
(viii) exceeding 1,600 cubic centimetres but not exceeding 1,700 cubic centimetres	€394	
(ix) exceeding 1,700 cubic centimetres but not exceeding 1,800 cubic centimetres	€461	
(x) exceeding 1,800 cubic centimetres but not exceeding 1,900 cubic centimetres	€487	
(xi) exceeding 1,900 cubic centimetres but not exceeding 2,000 cubic centimetres	€513	
(xii) exceeding 2,000 cubic centimetres but not exceeding 2,100 cubic centimetres	€656	
(xiii) exceeding 2,100 cubic centimetres but not exceeding 2,200 cubic centimetres	€688	
(xiv) exceeding 2,200 cubic centimetres but not exceeding 2,300 cubic centimetres	€719	
(xv) exceeding 2,300 cubic centimetres but not exceeding 2,400 cubic centimetres	€749	
(xvi) exceeding 2,400 cubic centimetres but not exceeding 2,500 cubic centimetres	€782	

SCH.

	Rate of Duty
(xvii) exceeding 2,500 cubic centimetres but not exceeding 2,600 cubic centimetres	€915
(xviii) exceeding 2,600 cubic centimetres but not exceeding 2,700 cubic centimetres	€951
(xix) exceeding 2,700 cubic centimetres but not exceeding 2,800 cubic centimetres	€984
(xx) exceeding 2,800 cubic centimetres but not exceeding 2,900 cubic centimetres	€1,020
(xxi) exceeding 2,900 cubic centimetres but not exceeding 3,000 cubic centimetres	€1,056
(xxii) exceeding 3,000 cubic centimetres	€1,279
(xxiii) electrically propelled	€139.

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