



STATUTORY INSTRUMENTS.

S.I. No. 318 of 2013



NON-USE OF MOTOR VEHICLES (SECTION 3) REGULATIONS 2013

NON-USE OF MOTOR VEHICLES (SECTION 3) REGULATIONS 2013

I, PHIL HOGAN, Minister for the Environment, Community and Local Government, in exercise of the powers conferred on me by subsection (1) of section 3 of the Non-Use of Motor Vehicles Act 2013 (No. 16 of 2003), being of the opinion that the following regulations are necessary or expedient for the purposes set out in that subsection, hereby make the following regulations with respect to which pursuant to section 3(2) of that Act, a draft has been laid before each House of the Oireachtas and a resolution approving of the draft has been passed by each such House:

1. These Regulations may be cited as the Non-Use of Motor Vehicles (Section 3) Regulations 2013.

2. Where a person wishes to make a declaration under section 9(10) of the Non- Use of Motor Vehicles Act 2013 and it is not reasonable in the circumstances to expect the person to fulfil his or her obligation under section 9(10)(b) in respect of completing and signing a previous use declaration in a Garda Síochána station in the presence of a member of the Garda Síochána, by virtue of the fact that—

- (a) he or she is outside the State on the date of the making of these Regulations and will not be returning to the State before 30 September 2013 in which case, he or she shall instead—
 - (i) complete and sign the declaration,
 - (ii) advise in writing that he or she will not be returning to the State before 30 September 2013,
 - (iii) nominate, in writing, a third party to present the declaration to a Garda Síochána station on his or her behalf,
 - (iv) attach a copy of the signature page of his or her passport, and
 - (v) attach, as documentary evidence that he or she will not be returning to the State before 30 September 2013, a copy of any one of the following:
 - (I) an airline ticket or the relevant travel documentation;
 - (II) a copy of the visa allowing entry to the country where he or she is now resident;

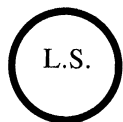
Notice of the making of this Statutory Instrument was published in "Iris Oifigiúil" of 23rd August, 2013.

- (III) a copy of the entry visa stamp to the country where he or she is now resident;
- (IV) written confirmation from the person's employer that he or she is out of the State for work purposes;
- (V) a copy of a contract with an employer showing that he or she is based outside the State for purposes of work,

or

- (b) he or she is ill, incapacitated or otherwise unable to attend for a bona fide reason, in which case, he or she shall instead—
 - (i) complete and sign the declaration,
 - (ii) advise in writing that he or she is ill or incapacitated, or otherwise unable to attend at a Garda Síochána Station for a bona fide reason,
 - (iii) nominate, in writing, a third party to present the declaration to a Garda Síochána station on his or her behalf, and
 - (iv) attach, as documentary evidence—
 - (I) where a person is ill or incapacitated a letter from a certified medical practitioner that he or she is ill or incapacitated and not in a position to attend a Garda Síochána station in person, or
 - (II) in any other case, such other documentary evidence at a Garda Síochána station for the purposes of showing that he or she is bona fide unable to attend at the station.

3. The member of the Garda Síochána to whom documentary evidence in accordance with Regulation 2 has been presented may use such evidence for the purposes of being satisfied as to the identity of the person for the purposes of section 9(10) (b) of the Non-Use of Motor Vehicles Act 2013 but, in a case which Regulation 2(b) (iv) (II) applies, only if that member is satisfied on the basis of the documentary evidence that that person is bona fide unable to attend at the station.



GIVEN under the Official Seal of the Minister for the Environment,
Community and Local Government,
24 July 2013.

PHIL HOGAN,
Minister for the Environment, Community and Local
Government.

EXPLANATORY NOTE

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

The purpose of the Regulations is to facilitate owners of vehicles who wish to declare that a vehicle has not been in use under section 9(10) of the Non-Use of Motor Vehicles Act 2013, but who will not in a position to make the declaration in a Garda station in the presence of a member of the Garda Síochána by the statutory deadline of 30 September 2013.

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
Le ceannach díreach ó
FOILSEACHÁIN RIALTAIS,
52 FAICHE STIABHNA, BAILE ÁTHA CLIATH 2
(Teil: 01 - 6476834 nó 1890 213434; Fax: 01 - 6476843)
nó trí aon díoltóir leabhar.

DUBLIN
PUBLISHED BY THE STATIONERY OFFICE
To be purchased from
GOVERNMENT PUBLICATIONS,
52 ST. STEPHEN'S GREEN, DUBLIN 2.
(Tel: 01 - 6476834 or 1890 213434; Fax: 01 - 6476843)
or through any bookseller.

€2.54



Wt. (B30018). 305. 8/13. Clondalkin. Gr 30-15.