

2020 No. 249

FINANCIAL ASSISTANCE

**The Taxi Driver (Coronavirus, Financial Assistance)
Regulations (Northern Ireland) 2020**

Made - - - - *11th November 2020*

Coming into operation - *13th November 2020*

The First Minister and deputy First Minister, acting jointly, made on 3rd November 2020 a determination under section 1(1) of the Financial Assistance Act (Northern Ireland) 2009(a) (“the Act”) and, jointly, they have designated the Department for Infrastructure(b) as the relevant Department under section 1(3)(a) of that Act.

Accordingly, the Department for Infrastructure makes the following Regulations in exercise of the powers conferred by sections 1(2), 3 and 4 of the Act.

In accordance with section 1(4) of the Act, the Executive Office(c) approves the making of these Regulations.

Citation and commencement

1. These Regulations may be cited as the Taxi Driver (Coronavirus, Financial Assistance) Regulations (Northern Ireland) 2020 and shall come into operation on 13th November 2020.

Financial Assistance Scheme

2. The Department for Infrastructure makes the Scheme set out in the Schedule.

(a) 2009 c. 2

(b) Formerly the Department for Regional Development; see section 1(6) and (11) of, and Schedule 1 to, the Departments Act (Northern Ireland) 2016 (2016 c. 5 (N.I.)).

(c) Formerly the Office of the First Minister and deputy First Minister; see section 1(1) and (11) of, and Schedule 1 to, the Departments Act (Northern Ireland) 2016 (2016 c. 5 (N.I.))

Sealed with the Official Seal of the Department for Infrastructure on 11th November 2020



Chris Hughes
A senior officer of the
Department for Infrastructure

The Executive Office approves these Regulations
Sealed with the Official Seal of the Executive Office on 11th November 2020



Neill Jackson
A senior officer of the
Executive Office

SCHEDULE

Regulation 2

Taxi Driver Financial Assistance Scheme 2020

Citation

1. This Scheme may be cited as the Taxi Driver Financial Assistance Scheme 2020.

Interpretation

- 2.—(1) In this Scheme—

“application” means an application for a financial assistance payment made in accordance with paragraph 4;

“the Department” means the Department for Infrastructure;

“determination” means the determination of the First Minister and deputy First Minister, acting jointly, and made on 3rd November 2020 that exceptional circumstances exist for holders of a taxi driver licence as a consequence of the outbreak of Coronavirus, including financial hardship arising from the loss of business. It is desirable to provide financial assistance to mitigate the effect of that outbreak on holders of a taxi driver licence and that such assistance ought to be provided in accordance with a Scheme made under section 1 of the Financial Assistance Act (Northern Ireland) 2009;

“eligible person” means a person who satisfies the requirements of paragraph 5;

“financial assistance payment” means a payment by the Department for the purpose set out in paragraph 3.

- (2) Terms and expressions used in the Taxis Act (Northern Ireland) 2008^(a) have the same meaning in this Schedule.

- (3) A reference in this Scheme to anything done in writing or produced in written form includes a reference to an electronic communication which has been recorded and is consequently capable of being reproduced.

Purpose of financial assistance

3. The purpose of financial assistance is the mitigation of the effect of the exceptional circumstances referred to in the determination made by the First Minister and deputy First Minister, acting jointly, made on 3rd November 2020.

Application for payment of financial assistance

- 4.—(1) The Department shall publish a notice inviting applications in such manner as will ensure that it is reasonably likely to be seen by eligible persons.

- (2) A notice published under sub-paragraph (1) shall specify—

- (a) the closing date for making an application;
- (b) the information which an applicant is required to provide in support of the application; and
- (c) the form of any application.

- (3) An eligible person may make an application in accordance with the requirements of the notice published under sub-paragraph (1).

^(a) 2008 c. 4 (N.I.)

(4) The Department shall reject an application if it is satisfied that the applicant is not an eligible person or does not meet the requirements of sub-paragraph 3.

(5) The Department shall notify the applicant of its decision in relation to any application as soon as is reasonably practicable.

Eligibility

5.—(1) Subject to paragraph 5(2), a person is eligible upon application under paragraph 4(3) for financial assistance if they satisfy the Department that, between 22nd March 2020 and 30th September 2020, they have experienced significant loss of income and—

- (a) were working or available for work as a self-employed taxi driver;
- (b) directly incurred overhead costs and expenses, which may include personal protective equipment expenses;
- (c) had a valid taxi driver's licence; and
- (d) had valid taxi insurance covering driving for hire and reward.

(2) A person will not be eligible if they were engaged solely in the provision of funeral services.

Provision of financial assistance

6.—(1) The Department may, for the purposes referred to in paragraph 3, in accordance with the following provisions, provide financial assistance by way of grant to any eligible person.

(2) That financial assistance shall constitute a single payment to any eligible person of £1,500 towards directly incurred overhead costs and expenses.

(3) Payments of financial assistance to eligible persons shall be on such other terms and conditions as the Department may specify including terms and conditions about withholding payments or requiring repayment in specified circumstances.

Payment of financial assistance

7.—(1) Where the Department has received an application it must determine whether that application satisfies paragraphs 4 and 5, and provides the information required in the notice published in accordance with paragraph 4(1) and if it does, the Department may make a payment to the applicant.

(2) The Department shall notify the applicant in writing of its decision to approve or reject an application; and—

- (a) if an application is approved, the amount of the grant to be paid; or
- (b) if an application is rejected, the reasons for the rejection.

Information

8.—(1) In addition to any application under paragraph 4, the Department may request information from another public body for use in determining whether a person is eligible under paragraph 5 for financial assistance under this Scheme.

(2) The Department may share information in relation to eligibility for Coronavirus financial assistance with another public body.

EXPLANATORY NOTE

(This note is not part of the Regulations)

The First Minister and deputy First Minister, acting jointly, have made a determination that exceptional circumstances exist for holders of a taxi driver licence, including financial hardship arising from the loss of business, as a consequence of the outbreak of Coronavirus.

Accordingly, these Regulations provide for the setting up of a Scheme under which the Department for Infrastructure may make financial assistance payments to eligible holders of a taxi driver licence who have suffered because of the exceptional circumstances identified.

The Schedule to these Regulations sets out the detail of the Taxi Driver Financial Assistance Scheme 2020.

The Scheme—

- (a) specifies the manner in which applications are to be made (paragraph 4);
- (b) specifies the eligibility criteria and the payment amount (paragraphs 5 and 6);
- (c) provides for the Department to approve or reject applications, make payments of financial assistance and advise applicants of its decision regarding payment (paragraph 7); and
- (d) provides for the request of information from other public bodies for use in determining eligibility and for the sharing of information in relation to eligibility with other public bodies (paragraph 8).

An Explanatory Memorandum has been produced and is available from the Safe and Accessible Travel Division, Department for Infrastructure, Clarence Court, 10-18 Adelaide Street, Town Parks, Belfast, BT2 8GB or online alongside these Regulations at <http://www.legislation.gov.uk/nisr>.

© Crown copyright 2020

Printed and published in the UK by The Stationery Office Limited under the authority and superintendence of Jeff James, Controller of Her Majesty's Stationery Office being the Government Printer for Northern Ireland and the Officer appointed to print Acts of the Northern Ireland Assembly.

£4.90

NI202011111007 11/2020 19585

<http://www.legislation.gov.uk/id/nisr/2020/249>

ISBN 978-0-33-801410-8



9 780338 014108