

Fáilte Ireland Strategic Tourism Transport Business Continuity Scheme Guidelines

**STRATEGIC
TOURISM
TRANSPORT
BUSINESS
CONTINUITY
SCHEME**



1. Introduction - What is the Scheme for?

The restrictions put in place to combat the spread of COVID-19 throughout the pandemic have had an instant and detrimental effect on the economy, which can be felt across the tourism and hospitality sectors.

Pre COVID-19, these businesses would have earned a large portion of their income by providing tourism services to visitors and since COVID-19, have struggled to continue in business due to the restrictions placed on their operations.

Considering the challenges facing the sector, Fáilte Ireland (National Tourism Development Authority) has developed, and will be rolling out, a Strategic Tourism Transport Business Continuity Scheme (which will be referred to as the "Scheme" throughout).

The tourism transport sector is strategically important as it enables visitors to access the geographically dispersed Irish tourism offering. Supporting this sector will support regionality and enable a successful spread of demand around the country when COVID-19 restrictions are lifted.

The funding, subject to availability, has been allocated for the Scheme using funds from the Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media with the consent of both the Minister for Tourism and the Minister for Public Expenditure and Reform.

2. What are the general eligibility criteria?

Applicants should read the eligibility criteria set out below to ensure they meet the criteria and qualify for the Scheme before applying.

Eligibility does not mean an entitlement to funding, which is at the sole discretion of Fáilte Ireland, rather it means eligibility to make an application for grant funding.

A Qualifying Applicant **must meet all the following criteria:**

- **Business Type:** Satisfy the conditions of one of the below categories of tourism businesses that have been identified for support under the Scheme. It is important that all applicants check the definition and eligibility criteria specified for each category of business before applying (please refer to Q3 – Q4 below).
 - Business Category A: Tourism Vehicle Rental Sector
 - Business Category B: Tourism Chauffeur, Limousine Services & Escorted Private Tours

- **Downturn in Eligible Tourism Turnover Due to COVID-19:** Eligible applicants must demonstrate that they have experienced a 75% downturn in eligible tourism turnover when comparing total average eligible monthly tourism turnover in 2019 compared with average eligible monthly tourism turnover between January 2021 and March 2021 inclusive.
- **Minimum Eligible Tourism Turnover:** Have a minimum eligible tourism turnover from the delivery of tourism related business activities within the Republic of Ireland of €50,000 in 2019*. In the case of Business Category B: Tourism Chauffeur, Limousine Services & Escorted Private Tours, applicants must in addition submit documentary evidence of 10% of eligible tourism turnover (See Q7 below for more information).
- **Existing Operator:** Have been in existence and trading prior to January 1st, 2020.

- **Resumption of Trade:** Intend to resume trade related to tourism activities as defined by this Scheme in 2021 or when it is safe to do so in line with Government guidance.
- **Fáilte Ireland Safety Charter:** Have completed/commit to completing and adhering to the Fáilte Ireland COVID-19 Safety Charter.

Ineligible Applicants – Undertakings in Difficulty

Applicants who were considered an “*undertaking in difficulty*” for the purposes of State aid law as at 31 December 2019, save that aid may be granted to a micro small enterprise that was already in difficulty as at 31 December 2019 provided that they are not subject to collective insolvency procedure under national law, and that they have not received rescue aid or restructuring aid are ineligible to apply for the Scheme.

**Applicants will be required to provide consent to allow Fáilte Ireland verify relevant financial information with the Revenue Commissioners.*

3. What Tourism Vehicle Rental Operators are Eligible to Apply?

Tourism Vehicle Rental Operators are those which provide passenger vehicles made available for multi-day hire to visitors who self-drive, particularly the overseas market. This includes cars, people carriers, motorbikes, and motorhomes for an overnight experience.

Ineligible Operators

The following operators are ineligible to apply:

- Membership based car clubs
- Car sharing services
- Motorhomes situated in a fixed location
- Part-day rental operators
- By the hour rental operators

Operators who engage solely in the following business activities are ineligible to apply:

- Van and/or truck hire
- Commercial vehicle leasing
- Car contract hire
- Corporate contracted business e.g. car service replacement

Fáilte Ireland reserve the right to request further information on the tourism business activity and rental fleet available for hire of applicants.

4. What Tourism Chauffeur, Limousine Services & Escorted Private Tour Operators are Eligible to Apply?

Tourism Chauffeur, Limousine Services and Escorted Private Tour Operators are those that offer luxury vehicle hire exclusively in conjunction with driver services for use predominantly by overseas visitors for a minimum of a half day. Operators in this category provide both a driver and vehicle to escort visitors on tour itineraries. See below for examples of escorted tour itineraries.

Example 1	Example 2
<p>Half Day Escorted Tour of Wicklow in minibus with driver/guide for 8 Visitors.</p> <p>Collection in Dublin city hotel Visit to 2 Wicklow attractions Lunch in Wicklow Return to Dublin city hotel</p>	<p>3 day Escorted Tour on the Wild Atlantic Way in limousine with driver for 2 Visitors.</p> <p>Collection in Shannon Airport Travel to 5 attractions Travel to/from 3 hotel Travel to National Park Travel to 5 restaurants Return to Ireland West Knock Airport</p>

This includes but is not limited to operators who provide tourism chauffeur, limousine services and escorted tours to visitors or partner with the following:

- Tourism event organisers
- Conference venue managers
- Inbound tour agents
- Similar tourism intermediaries

Ineligible Operators

Operators who engage solely in any of the following business activities are ineligible to apply:

- Services by Taxi
- Services by Hackney
- Point to point services e.g. airport transfer, alternative means of travel to public transport
- Transport for non-tourism related activities
- Corporate & non-tourism related VIP Services
- Wedding Car Hire & Ceremonial Events

Licensing Requirements

Small Public Service Vehicle Licences

Applicants must hold a valid license as at March 2020 and provide the licence number and vehicle registration number, as required by the National Transport Authority in the following category:

- Limousine Licence

Large Public Service Vehicle Licences

Applicants must hold a valid license as at March 2020 and provide the licence number, as required by the Department of Transport:

- Road Passenger Transport Operator Licence

Fáilte Ireland reserve the right to request further information on the tourism business activity of applicants.

Decisions taken by Fáilte Ireland on an applicant's eligibility are full and final and not open to appeal.

5. I have more than one eligible business, what do I do?

If an applicant has more than one business/affiliate company that meets the eligibility criteria and are established as separate legal entities, applications are to be submitted per eligible legal entity. Payment of grants will be issued per eligible legal entity, taking into account EU State aid rules.

Multiple applicants from the same group of companies are considered to form one economic unit and therefore a single “undertaking” for the purposes of the State aid rules.

The “Temporary Framework for State Aid Measures to

Support the Economy in the Current COVID-19 Outbreak” provides that overall aid granted on the basis of schemes notified under the Temporary Framework shall not exceed €1.8 million per undertaking. All applications will be subject to this overall cap of €1.8 million per undertaking for aid granted under the Temporary Framework.

Applicants will be asked to declare all applications being submitted for affiliated businesses when submitting the application forms, and applications on behalf of all such applicants should be submitted within the same time period.

6. What do I do if my business operates from more than one location?

Businesses that operate from more than one location may only make one application for the Scheme per legal entity.

Applications are to be made per legal entity. Businesses that operate from more than one location or have branches may only apply for the overall legal entity.

7. What are the financial criteria?

Applicants will be asked to declare their eligible tourism turnover figure for 2019. Only turnover generated from the delivery of tourism transport related business activities within the Republic of Ireland will be eligible for inclusion in an applicant’s eligible tourism turnover figure.

As part of the application process, Fáilte Ireland reserve the right to seek such further evidence or verification in relation

to the financial information supplied by applicants as Fáilte Ireland considers necessary to include but not be limited to evidence of up to 100% of declared eligible tourism turnover for 2019.

Applicants will be required to provide consent to allow Fáilte Ireland verify relevant financial information with the Revenue Commissioners

Business Category A: Tourism Vehicle Rental Sector

Eligible Tourism Turnover	Ineligible Turnover
Eligible applicants must have a minimum eligible tourism turnover threshold of €50,000 in 2019	Non-tourism related transport turnover e.g. van hire
Eligible turnover relates to turnover generated from tourism vehicle rental to domestic and overseas visitors	Non-tourism contracted business e.g. commercial, car replacement services

Business Category B: Tourism Chauffeur, Limousine Services & Escorted Private Tours

Eligible Tourism Turnover	Ineligible Turnover
Eligible applicants must have a minimum eligible tourism turnover threshold of €50,000 in 2019	Corporate and non-tourism related VIP Services
Turnover generated from tourism event organisers, conference venue managers, inbound tour agents and similar tourism intermediaries.	Wedding Car Hire & Ceremonial Events
Turnover generated from the provision of a minimum half day escorted tour booked directly by visitors.	Turnover generated on tourism activity taking place outside the Republic of Ireland
	Transport for non-tourism related activities e.g. school bus route
	Point to point services

For applicants in **Business Category B: Tourism Chauffeur, Limousine Services & Escorted Private Tours** to be eligible to apply, applicants are required to submit evidence to the value of 10% of declared eligible tourism turnover for 2019. The following constitutes acceptable examples (but not limited to) of evidence to demonstrate that the business engages in tourism activity:

- Invoice clearly stating tourism purposes
- Invoice or proof of bank transfer in 2019 from members of the following:
 - Irish Tour Operators Association
 - Ireland Golf Tour Operator Association
 - Association of Irish Professional Conference Organisers
- Invoice to a Fáilte Ireland registered accommodation provider
- Invoice from a tourism experience provider e.g. visitor attraction, tourism activity operator

Examples:

Eligible Tourism Turnover	Minimum Evidence Value Required
€50k turnover	Documentation demonstrating tourism activity to the value of €5k
€1m turnover	Documentation demonstrating tourism activity to the value of €100k

NB. Applicants who cannot demonstrate the minimum value of 10% of their eligible tourism turnover will be deemed ineligible for funding under this scheme.

8. How much will my business receive if it is eligible and qualifies for a grant?

Grants for successful applicants will be based on the following calculations:

- The grant amount per applicant will be based on the annual eligible tourism turnover from 2019.
- The grant amount is calculated as 10% of the 2019 eligible tourism turnover figure (subject to the maximum grant as set out below, and State aid rules).
- The minimum grant amount per applicant is €5,000 based on a minimum eligible tourism turnover of €50,000.
- The maximum grant amount per applicant is €800,000. For applicants with eligible tourism turnover of €8m and above, €800,000 is the maximum award payable out under this Scheme, subject to State aid rules.

Applicants to the following schemes are eligible to apply:

- Fáilte Ireland Coach Tourism Business Continuity Scheme
- Ireland Based Inbound Agents Business Continuity

Scheme

- Tourism Business Continuity Scheme Phase 1

Grant amounts will be capped at 10% of eligible tourism turnover in 2019 or up to a maximum of €800,000 awarded across the Schemes listed above, see Example 4 below. Previous funding under these schemes will be deducted when calculating the final grant amount to ensure this cap is not exceeded.

This Scheme has been designed to align with the current Department of Enterprise, Trade and Employment support programme Small Business Assistance Scheme for COVID (SBASC)¹ which provides operational funding via grants to small businesses.

Applicants will need to declare if they have applied and/or are in receipt of funding from SBASC. If so declared €4,000 will be deducted from the applicants grant award when calculating the final grant amount under the Scheme. See Example 3 below.

Working Examples:

Example 1	Example 2	Example 3	Example 4
Eligible limousine operator with eligible tourism turnover for 2019 of €200k	Eligible car rental company with eligible tourism turnover for 2019 of €30 million	Eligible motorbike rental operator with eligible tourism turnover for 2019 of €180k. SBASC grant from DETE = €4k	Eligible coach tour operator with eligible tourism turnover for 2019 of €500k Coach Tourism grant of €30k
10% of eligible tourism turnover = €20k grant amount	10% of eligible tourism turnover = €3 million Grant amount = €800k as they have reached cap	10% of eligible tourism turnover = €18k Deduct €4k grant = €14k grant amount	10% of eligible tourism turnover = €50k Deduct €30k grant = €20k grant amount

The level of grant funding is further subject to the overall caps on aid under the Temporary Framework for State Aid Measures to Support the Economy in the Current COVID-19 Outbreak², and the grant available may be reduced where an applicant or its group has already benefitted under another

scheme notified under the Temporary Framework, including but not limited to other Fáilte Ireland schemes (such as the Coach Tourism Business Continuity Scheme, the Ireland Based Inbound Agents Business Continuity Scheme and the Tourism Business Continuity Scheme Phase 1).

1. Full information on the Department of Enterprise, Trade and Employment Support Scheme (SBASC) is available at <https://enterprise.gov.ie/en/What-We-Do/Supports-for-SMEs/COVID-19-supports/SBASC.html>
 2. An informal consolidated version of the Temporary Framework amended on 28 January is available at https://ec.europa.eu/competition/state_aid/what_is_new/TF_informal_consolidated_version_as_amended_28_january_2021_en.pdf
 Applicants should check the ec.europa.eu website for any future updates on the Temporary Framework

9. How do I apply?

Applicants who believe they meet the eligibility criteria above are welcome to apply through the following steps.

Please note: Each category below has an individual application form. Please ensure to complete the relevant application form.

- Business Category A: Tourism Vehicle Rental Sector
- Business Category B: Tourism Chauffeur, Limousine Services & Escorted Private Tours
 - All applicants are required to have a profile on Fáilte Ireland's 'Trade Portal' which is accessible on www.failteireland.ie. If an applicant does not already have an account, they will be required to create one.
 - Those that already have a Fáilte Ireland Trade Portal account, the application form can be accessed under '**Funding**'. Should the form not be available please contact customersupport@failteireland.ie
 - The Scheme Guidelines will be available on www.failteireland.ie

- Applicants should note that granting access to the application form does not confirm final eligibility of an applicant. Depending on the information provided in the application form, an applicant may still be deemed ineligible for funding later in the process.
- Applicants will be asked to declare that they have read the eligibility criteria for the Scheme and will abide by the terms and conditions of the Scheme. In addition, applicants are required to retain all records relating to the Scheme, including basis for eligibility, for auditing purposes.

All completed applications for the Scheme must be submitted via the Fáilte Ireland Trade Portal by **12 noon on Thursday May 13th, 2021.**

Failure to complete the application requirements and submit the supplementary documentation to Fáilte Ireland's satisfaction may result in the application being deemed ineligible.

10. What do I need to apply?

The following information is required when submitting an application:

- Tax Reference Number (TRN), or Companies Registration Office number (CRO) as appropriate.
- Limousine Licence Number and Vehicle Registration Number, or Road Passenger Transport Operator Licence Number as appropriate.
- In the case of Business Category B: Tourism Chauffeur, Limousine Services & Escorted Private Tours, evidence of 10% turnover related to eligible tourism business activity, as appropriate. Please refer to Question 7.
- Full Annual Financial Statements for 2019. Where audited Financial Statements are abridged for filing purposes, the unabridged version should be provided. If your business is a Sole Trader or Partnership, where full financial statements have not been prepared you will need to provide your 2019 business profit and loss account as part of this application.
- Provide management accounts for 2020 and for the period January 2021 to March 2021.
- If eligible tourism turnover is in excess of €1million in 2019, an independent auditors letter is required confirming that this is the case.
- Be established and registered for Tax in the Republic of Ireland.
- Copy of your 2019 tax return (CT1, Partnership or Individual).
- Declaration that the business was open and operating prior to 1st January 2020.

- The total value of State Aid received by the applicant to date under the EU “Temporary Framework for State Aid Measures to Support the Economy in the Current COVID-19 Outbreak”. The total value of State Aid received by the applicant and /or by its wider group entities to date, under the COVID-19 EU Temporary Framework for State Aid measures to support the economy in the current COVID-19 Outbreak.
- Bank Account Details and copy of Bank Statement Header. This information will only be used in verifying the payment details so that we can process the payment without unnecessary delay. If the applicant is unsuccessful, this information will be erased immediately. It will only be retained for successful applicants.
- Have a fixed place of business in the Republic of Ireland.
- Under State Aid rules contained in the COVID-19 EU “Temporary Framework for State Aid measures to support the economy in the current COVID-19 Outbreak”, large and medium-sized enterprises more than 3 years in business cannot have been an undertaking in difficulty ON OR BEFORE 31 December 2019. If the business is a

large or medium sized enterprise over 3 years in business and was not an undertaking in difficulty as defined above, an uploaded letter of either (i) an independent accountant’s verifying that this is the case or (ii) an audit letter/report (dated 2019 or 2020 signed by an accountant for the most recently prepared year-end financial statements is required.

Fáilte Ireland reserve the right to request further evidence of turnover from applicants.

Failure to complete the application requirements and submit the supplementary documentation to Fáilte Ireland’s satisfaction will result in the application being deemed ineligible.

NOTE: Scheme Audit

- Applicants in receipt of funding under this Scheme may be subject to audit to ensure compliance of successful applicants, for a period of 10 years. Applicants must keep and make records available to Fáilte Ireland or nominated representatives as requested.

11. Terms and Conditions of Grant Funding

Applicants are asked to read the Terms and Conditions of Grant Funding before applying for the scheme.

The awards of any grants under the Scheme are subject to the following Terms and Conditions. It shall be a condition of the award of any grant to a business that the applicant agrees to the Terms and Conditions when completing the grant application form.

- All applications for funding under the Scheme will be reviewed and assessed by Fáilte Ireland to ensure eligibility.
- Successful applicants must confirm payment received will be used as a defrayment of fixed costs.
- All funding approved under the Scheme is subject to audit.
- Fáilte Ireland may make any enquiries that it considers necessary to establish the applicant’s eligibility for funding under the Scheme, and Fáilte Ireland’s decisions in relation to applicant eligibility and the disbursement of monies are at the absolute discretion of Fáilte Ireland and are final.
- Any monies granted by Fáilte Ireland under the Scheme

will be used solely by eligible beneficiaries in accordance with the purposes of and objective of the Scheme i.e. to support the continuity of tourism businesses

- The submission of an application should not be construed as granting any rights or expectations of funding to the applicant.
- In accepting any offer of monies under the Scheme, the following warranties and undertakings are made by the applicant to Fáilte Ireland:
 - That any information supplied by the applicant as part of its application under the Scheme is up-to-date and accurate, and the applicant will inform Fáilte Ireland immediately if this ceases to be the case. Evidence to this effect must be maintained to substantiate this if audited.
 - That all acts, conditions and things required to be done and performed and to have happened before the applicant’s acceptance of the terms and conditions of the Scheme have been done and performed and have happened in due and strict compliance with Irish law.

- No funding will be granted by Fáilte Ireland unless and until an application has been completed to Fáilte Ireland's satisfaction, and the applicant has accepted these Terms and Conditions. A Letter of Award will be issued to the Applicant confirming the offer, prior to payment being issued.
- That even in circumstances where the applicant has initially been approved to receive a grant, Fáilte Ireland retains an overall discretion and reserves its right to refuse to grant funding on reasonable grounds. For example, this reasonable refusal may be made on the basis that the applicant is an "undertaking in difficulty" for the purposes of EU State aid law, subject to an insolvency procedure in the Republic of Ireland, otherwise based on the financial prospects of the applicant business, there is a change in the EU Temporary Framework under which the Scheme is approved or on the basis that sufficient Exchequer Funding is no longer available.
- Fáilte Ireland is entitled to vary the terms and conditions applicable to the Scheme, in respect of applications that have not yet accepted the Terms and Conditions, without prejudice to its rights and any other requirements or criteria.
- Fáilte Ireland may at its discretion impose monitoring and reporting obligations on the applicant and the applicant will provide Fáilte Ireland with documentation and assistance in any audit of records. The applicant agrees that Fáilte Ireland may carry out inspections of applicant's records and measures taken by the applicants to ensure compliance with the Scheme.
- That the applicant will comply with EU State aid rules and agree to repay any grant monies required to be repaid to Fáilte Ireland or otherwise where the business or the project is no longer State aid compliant.
- In the case of medium and large applicants, that the applicant business was not an undertaking in difficulty, was solvent and is able to pay its debts as they fall due as of 31 December 2019.
- In the case of small and micro applicants who were already in difficulty as of 31 December 2019, they must not be subject to collective insolvency procedure under Irish law, meaning:
 - No receiver or receiver and manager has been appointed over all or any of the assets of the company.
 - No petition seeking the winding up of the company has been presented.
 - No order has been made winding up the company on any grounds.
 - No resolution has been passed by the members to wind up the company on an insolvent basis.
 - No petition seeking the appointment of an examiner to the company has been presented.
 - No statutory demand has issued against the company pursuant to section 570 of the Companies Act 2014; and
 - No informal or formal compromise or scheme of arrangement has been entered into with any creditors of the company.
- The Applicant has completed or shall complete Fáilte Ireland's COVID-19 Safety Charter and shall adhere to the requirements set out therein and/or the appropriate sector specific guidelines for re-opening in light of COVID-19 (as may be amended from time to time).
- If the applicant is in breach of the terms and conditions of the Scheme, or has provided any false or inaccurate information as part of the application process, it will be required to pay back the grant with interest and any applicable recovery costs, in accordance with State aid rules.
- Fáilte Ireland may conduct an assessment into non-compliance by an applicant with these terms and conditions of the Scheme and reserves the right to review and revoke the grant, including where it receives corroborated third-party complaints.
- The timing of grant payments under the Scheme is subject to Fáilte Ireland being in receipt of sufficient funding from the Irish State to meet those payments. In the event of any unavailability or delay, there will be no liability on the part of Fáilte Ireland or the Irish State to make good any loss or damage suffered, or shortfall experienced by applicants.
- That the applicant is and will continue to be at all times fully compliant with all relevant legal obligations where applicable including, but not limited to, any in regard to employment, planning, the environment, taxation, child protection, equality of opportunity, the nine grounds of discrimination under the Equal Status Act 2000, local authority and industry requirements and any other requirements under Irish or EU law.

- All public bodies, including Fáilte Ireland, who are distributing Public Funding, are obliged to comply with the requirements of the Public Spending Code to ensure best value is achieved from state resources. Fáilte Ireland and applicants under this Scheme are also subject to the rules of the Department of Public Expenditure and Reform Circular 13/2014 - Management of and Accountability for Grants from Exchequer Funds. Successful applicants will be required to comply with the highest standard of transparency and accountability as set out therein. For more information see www.circulars.gov.ie/pdf/circular/per/2014/13.pdf.
- Applicants are responsible for satisfying themselves that the aid being granted to them is being lawfully granted and to ensure adherence with State aid rules. If an applicant provides false information and this is found to be the case, this will result in the aid being recovered by Fáilte Ireland (with interest) on the grounds that this is illegal aid. Applicants are encouraged to carefully review, consider and adhere to these terms and conditions, together with the eligibility criteria of the Scheme for the purposes of State aid compliance. Applicants should exercise particular care where they are in receipt of other State Funding and seek professional advice where appropriate.
- At any time up to 31 December 2031, the applicant may be asked to make all books and records relating to the Scheme available to authorised Fáilte Ireland personnel and, upon the giving of seven days' notice, to any accountant, auditor, or other consultant appointed or designated by Fáilte Ireland or the European Commission.
- The applicant will provide all necessary cooperation and will comply with all directions, if any, which may be given by Fáilte Ireland or the European Commission on foot of any resultant reports prepared by any such internal or external parties including any requirement that the grant be repaid.
- Fáilte Ireland may carry out an impact analysis of the Scheme to include a review of the impact of the funding. If selected to participate, the applicant must comply with, and facilitate, all research that is undertaken as part of this review.
- To facilitate the efficient monitoring of and compliance for the Scheme the applicant agrees to facilitate any staff member or representative of Fáilte Ireland or the European Commission.
- Where the applicant fails to comply with any of the Guidelines, Terms and Conditions contained in this document or information supplied is found to be incorrect Fáilte Ireland may, at its sole discretion:
 - require specific performance of the conditions of the Scheme and/or require immediate repayment of the Grant, or any part of the Grant already paid, to Fáilte Ireland from the applicant and/or be under no obligation to pay the Grant or any part thereof to the applicant.
- The applicant consents to Fáilte Ireland sharing information provided in the Application form or pursuant to the Scheme with Government Departments and/or Government Agencies including the National Transport Authority and the Revenue Commissioners, in the event that information is required from those organisations to ensure compliance with State aid and national legislative and regulatory requirements.

Fáilte Ireland reserve the right to amend the terms and conditions of the Scheme.

Freedom of Information

Fáilte Ireland may be required to disclose, in connection with the Scheme, (a) any information supplied by the applicant to Fáilte Ireland and (b) any relevant data accumulated by Fáilte Ireland in administering the Scheme, except where the

information is considered to be commercially sensitive. Fáilte Ireland will contact the applicant in this regard in advance; however, Fáilte Ireland may still decide to release this information if required by law.

Data Protection

Both the applicant and Fáilte Ireland shall have regard to their statutory obligations under the GDPR (2016/679) and the Data Protection Acts 1988 to 2018 (together with any Regulations made thereunder). In this regard, in so far as the applicant processes personal data for the purpose of this application it shall comply with its obligations as a “data controller” under the GDPR.

Personal data supplied to Fáilte Ireland in relation to the Scheme and the applicant may be processed by Fáilte Ireland for the purposes of the administration of the Scheme. Please read Fáilte Ireland’s Privacy Policy for details [HERE](#).

To the extent that Fáilte Ireland will be sharing personal data provided in the Application form or pursuant to the Scheme with Government Departments and/or Government Agencies, including the National Transport Authority and the Revenue Commissioners, Fáilte Ireland will ensure it has a valid lawful basis for any further processing and sharing of that personal data.

In particular:

- Where appropriate, applicants must provide their Limousine Licence Number, or Road Passenger Transport

Operator Licence Number as appropriate to facilitate Fáilte Ireland in sharing, through a secure file transfer mechanism, the licence number with the National Transport Authority. This is for the purpose of confirming that an applicant meets the licencing requirements of the Scheme. In providing the licence number the applicant is expressly consenting to the National Transport Authority providing this validating information to Fáilte Ireland.

- Where appropriate, applicants must provide their tax reference number to facilitate Fáilte Ireland in sharing, through a secure file transfer mechanism, the tax reference number with Revenue. This is for the purpose of confirming that an applicant's tax affairs are in order. In providing the tax reference number the applicant is expressly consenting to Revenue providing this validating information to Fáilte Ireland.

Should your application be successful we will retain it for 10 years.

EU State Aid

Fáilte Ireland is the grant aiding Authority for the Scheme. The legal basis of the Scheme is the National Tourism Development Authority Act, 2003. Grants are provided in accordance with the criteria set out above, subject to EU State Aid law.

Aid being provided towards this Scheme is subject to the provisions of the European Commission’s

COVID-19 Temporary Aid Framework (the ‘Temporary Framework’)*. In order for funding to fall within the Temporary Framework its provisions must be complied with in all cases and in all respects in so far as they apply to State Aid for a particular applicant. While Fáilte Ireland has a primary responsibility to comply with those requirements and other State Aid rules, compliance also depends on the co-operation of applicants, including their adherence to these Guidelines, their candour in making applications to us and, ultimately, their compliance with the terms and conditions attaching to the grant, if successful.

**State Aid Temporary Framework as adopted on 19 March 2020 C (2020) 1863 and incorporating its four amendments – C (2020) 2215 of 3 April 2020, C (2020) 3156 of 8 May 2020, C (2020) 4509 of 29 June 2020, C (2020) 7127 of 13 October 2020 and and C(2021) 564 of 28 January 2021– for measures to support the economy in the current COVID-19 outbreak. A consolidated version of the Temporary Framework as of 13 October 2020 is available at: https://ec.europa.eu/competition/state_aid/what_is_new/TF_informal_consolidated_version_as_amended_28_january_2021_en.pdf.*

It is the applicant’s responsibility to ensure that it is aware of any further amendments to the Temporary Framework and applicants are free (and encouraged) to take legal advice as appropriate on how State aid rules apply in their particular situation. Please note that it is a requirement of the Temporary Framework that the aid is granted no later than 31 December 2021 (subject to any further potential extension by the European Commission).



Fáilte Ireland
National Tourism Development Authority



Rialtas na hÉireann
Government of Ireland