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Amendment to Regulation No 3 of the Minister for the Environment of 1 February 2023 on the conditions and procedure for granting support for the purchase of zero-emission vehicles

The Regulation is established on the basis of subsection 161(3) and subsection 182<sup>1</sup>(5) of the Atmospheric Air Protection Act.

**§ 1. Amendment to Regulation No 3 of the Minister for the Environment of 1 February 2023 on the conditions and procedure for granting support for the purchase of zero-emission vehicles**

Regulation No 3 of the Minister for the Environment of 1 February 2023 ‘Conditions and procedure for granting support for the purchase of zero-emission vehicles’ is amended as follows:

(1) subsections (3)–(6) of section 1 shall be read as follows:

‘(3) The aid granted to the company is *de minimis* aid within the meaning of Commission Regulation (EU) 2023/2831 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to *de minimis* aid (OJ L, 2023/2831, 15.12.2023), and is subject to the provisions of this Regulation and section 33 of the Competition Act.

(4) The ceiling of 300 000 euros of *de minimis* aid granted under Commission Regulation (EU) 2023/2831 over any period of three fiscal years shall apply per undertaking within the meaning of Article 2(2) of Regulation (EU) 2023/2831. Cumulation of subsidies is subject to the limitations provided for in Article 5 of Commission Regulation (EU) 2023/2831.

(5) Agricultural *de minimis* aid is granted pursuant to the conditions laid down in Commission Regulation (EU) No 1408/2013 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to *de minimis* aid in the agriculture sector (OJ L 352, 24.12.2013, pp. 9–17). The total amount of *de minimis* aid, including any support granted under this Regulation, shall not exceed 50 000 euros over any period of three years.

(6) *De minimis* aid to fisheries is granted pursuant to the conditions laid down in Commission Regulation (EU) No 717/2014 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to *de minimis* aid in the fishery and aquaculture sector (OJ L 190, 28.6.2014, pp. 45–54). The total amount of *de minimis* aid, including support granted under this Regulation, shall not exceed 30 000 euros during the current financial year and the previous two fiscal years.

(2) subsection 4 (2) shall read as follows:

‘(2) A zero-emission vehicle for the purposes of this Regulation is a fully electric vehicle, including a hydrogen fuel cell vehicle, of categories M1 and N1 (hereinafter *car*), with carbon dioxide emissions of zero grams per kilometre (0 g/km).’;

**3)** in subsection 4(3), clause 1 of subsection 6(3), the title of Chapter 3, clause 7 of subsection 7(6) and subsection 7(7), subsection 11(3), subsection 14(3), subsections 16(1), (2), (4), (6), (9), and (13), and clauses 6 and 7 of subsection 17(3), the words ‘zero-emission vehicle’ are replaced by the word ‘car’ in the appropriate case;

**4)** subsection 5(1) shall read as follows:

‘(1) The grant may be applied for in respect of a car which the applicant has purchased and taken possession of no later than six months after the car has been registered in the traffic register pursuant to section 173 of the Traffic Act (hereinafter *Traffic Register of the Transport Administration*).

**5)** subsection 6 (1) is worded as follows:

‘(1) The amount of subsidy is:

1) for a legal person, 4 000 euros per new car;

2) for a natural person, 5 128.21 euros per new car;

3) for a natural person, up to 25 % of the purchase price, but not more than 5 128.21 euros per a second-hand car.’;

**6)** the following subsections 1<sup>1</sup> and 1<sup>2</sup> are added to Section 6:

‘(1<sup>1</sup>) Upon the purchase of a car, a legal person may, in addition to the support provided for in clause 1 of subsection 1, apply for an additional subsidy of 1 500 euros for the purchase of one car per vehicle to be scrapped, for the deletion of a used M1 or N1 category vehicle with an internal combustion engine from the traffic register of the Transport Administration for the purpose of dismantling (hereinafter *car to be scrapped*).

(1<sup>2</sup>) When purchasing a car, a natural person may, in addition to the support provided for in clause 2 or 3 of subsection 1, apply for additional support of 1 923.08 euros for the purchase of one car to be scrapped.’;

**7)** the following clause 1<sup>1</sup> is added to subsection 6(3):

‘1<sup>1</sup>) it arose from the purchase and possession of a compliant used car after 13 January 2025.’;

**8)** clauses 4, 6 and 7 of subsection 6(3) are repealed;

**9)** in clause 5 of subsection 6(3) and subsection 6(4), the word ‘four’ is replaced by the word ‘two’;

**10)** in subsection 7(1), the words ‘who is a resident of Estonia within the meaning of section 6 of the Income Tax Act,’ are added after the words ‘a natural person’;

**11)** subsections 7(4) and (5) are worded as follows:

‘(4) An undertaking whose principal or secondary activity corresponds to code 45111 of the Estonian Classification of Economic Activities (EMTAK 2008) cannot apply for support for a car: the sale of passenger cars and light motor vehicles with a gross vehicle weight of less than 3.5 tonnes.

(5) Subsections (3) and (4) of this section do not apply to an undertaking whose principal activity corresponds to code 77111 of the Estonian Classification of Economic Activities

(EMTAK 2008): rental and leasing of passenger cars and light motor vehicles with a gross vehicle weight of less than 3.5 tonnes or under code 45191: the sale of other motor vehicles.

**12)** The following Subsections (11) and (12) are added to section 7:

‘(11) Applicant who wishes to receive support under subsections 6(1<sup>1</sup>) or (1<sup>2</sup>) to the extent provided for, must have been the last owner of the car to be scrapped as indicated in the Traffic Register of the Transport Administration before the car was deleted from the Traffic Register of the Transport Administration.

(12) The applicant or any related person shall not be the previous owner or responsible user of the used car for the purchase of which the grant is requested.’;

**13)** Clause 8 (2) 5) is repealed;

**14)** in clause 6 of subsection 8(2), the words ‘and a single-box wheel’ are deleted;

**(15)** subsection 8 (3) shall read as follows:

‘(3) An undertaking may submit several applications without exceeding the maximum number of cars laid down in clause 4 of subsection 2. An applicant who is a natural person may submit an application for the purchase of one car under this Regulation every two years, taking into account the payment of the aid.’;

**(16)** subsection (3<sup>1</sup>) is added to section 8 in the following wording:

‘(3<sup>1</sup>) An additional grant for a car to be scrapped can be applied for simultaneously with an application for a grant for the purchase of a new or second-hand car.’;

**(17)** subsection 8 (4) shall read as follows:

‘(4) An applicant shall append the following documents to the application:

- 1) the sales contract certifying the purchase of the car;
- 2) a warranty document upon the purchase of a new car, if the warranty is not included in the sales contract;
- 3) if leasing has been used for the purchase of the car, the leasing contract;
- 4) if the car has been purchased, a payment order indicating payment for the car;
- 5) a copy of the vehicle’s registration certificate of registration of the car in the road traffic register of Transport Administration, showing that the applicant is the owner or the person in charge of the vehicle;
- 6) a confirmation that the car will be used for at least two years from the payment of the benefit and mainly in Estonia;
- 7) a confirmation that neither the applicant nor a person related to the applicant has applied for or received support for the purchase of a car in accordance with the application from other state budget funds, European Union funds, or other foreign aid funds;
- 8) in the case of a car to be scrapped, a copy of the certificate of registration in the traffic register of the Transport Administration indicating the compliance of the applicant with subsection 7(11) and the compliance of the car to be dismantled with the requirements of subsection 9(3).’;

**(18)** section 9 shall be read as follows:

### **‘§ 9. Requirements for cars and cars to be scrapped**

(1) The requirements for the car are as follows:

- 1) the car must be an all-electric vehicle, i.e. an electric-only vehicle that emits zero grams of carbon dioxide per kilometre (g/km);
- 2) an electric power source may use a hydrogen fuel cell to generate energy;
- 3) the maximum speed of the car exceeds 60 km/h;
- 4) the new car must be new at the time of purchase, meaning that the first registration of the car takes place in the traffic register of the Transport Administration no more than six months before the submission of the application, and the car is first registered in the name of the applicant or in the name of the lessor who has designated the applicant as the responsible user;
- 5) the used car must not be older than five years from the date of first registration at the time of application submission;
- 6) the new car has a sales guarantee of at least two years or an equivalent guarantee;
- 7) the cost of category M1 car does not exceed 60 000 euros, excluding VAT;
- 8) the cost of category N1 car does not exceed 80 000 euros, excluding VAT.

(2) The restrictions provided for in clauses 7 and 8 of subsection 1 of this section do not apply to hydrogen fuel cell cars.

(3) A car to be scrapped is a vehicle of category M1 or N1 with an internal combustion engine, which was deleted from the traffic register of the Transport Administration not more than six months before the submission of the application for support for the purchase of the car, but not earlier than 13 January 2025, and which passed a roadworthiness test not more than 15 months before its deletion from the traffic register of the Transport Administration.’;

**19)** Subsection 10(5) is amended and worded as follows:

‘(5) The financial volume and distribution of the call for proposals among natural and legal persons shall be approved by a directive of the Minister of Infrastructure.’;

**20)** clause 2 of subsection 13(2) shall read as follows:

‘2) make or model of the car and the car to be scrapped, registration plate number and certificate number;’;

**21)** in subsection 14(1), the words ‘or a zero-emission vehicle’ are replaced by the words ‘, a car or a car to be scrapped’;

**22)** in subsection 16(4), the word ‘four’ is replaced by the word ‘two’;

**(23)** subsection 16 (5) shall read as follows:

‘(5) If the beneficiary transfers the car or transfers the rights and obligations of the responsible user arising from the leasing contract concluded for the purchase of the car before the expiry of a period of two years from the payment of the subsidy or the conclusion of the leasing contract, the beneficiary shall reimburse the subsidy in proportion to the time used. The beneficiary may lease the purchased car.’;

**24)** In clauses 6–8 of subsection 17(3), the word ‘four’ is replaced by ‘two’.

## **§ 2. Entry into force**

This Regulation shall enter into force on 13 January 2025.

Minister

Keit Kasemets  
Secretary General