

*These notes refer to the Taxis Act (Northern Ireland)
2008 (c.4) which received Royal Assent on 21 April 2008*

Taxis Act (Northern Ireland) 2008

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Licences: General Provisions

Part 4 contains provisions of a general nature relating to the different forms of licence required under the Act.

Under section 25 the Department may require a person to provide the application in a form that it deems necessary and it also allows the Department to seek as much information as it deems necessary for dealing with an application for a licence. The provisions of the Act apply to the renewal of a licence as they do in relation to the grant of a licence. Section 26 provides power for the Department to suspend or revoke a licence or to curtail an operator's licence under certain specified circumstances. Section 27 outlines the procedure the Department will follow in taking such action.

Under section 28, an operator may apply for his licence to be varied to record a change in operating centre or the number of taxis that he may operate. An owner or driver may also apply to have their licence varied and all have a right of appeal against any decision not to vary the licence under section 28. The decision to suspend or vary is open to appeal. Where the Department is no longer satisfied that an operating centre meets the necessary requirements, it may suspend or vary an operator's licence under section 29.

Section 30 sets out the services in respect of which the Department may prescribe fees and allows for such fees to be paid by instalments. Section 31 requires licences, certificates of insurance and other documents to be produced for inspection. Failure to do so will be an offence.

Section 32 imposes a duty on a licence holder to return any licence to the Department if the licence has been suspended, revoked or curtailed. An expired licence or a badge, licence plate, sign or disc may have to be returned, if requested by notice. Failure to do so will be an offence.

Section 33 imposes a duty on the Department to keep a register containing details of each licence issued under the Act, which will be available for inspection by the public.

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Sections 34 and 35 deal with appeals to magistrates' courts including provisions on time-limits for appealing, notification of right of appeal and the effect of appeal on the decision being appealed.

Section 36 enables the Department to make such further provision in respect of appeals as it considers necessary or expedient by way of regulations.