



2008 CHAPTER 4

PART 1

REGULATION OF TAXI OPERATORS

CHAPTER 2

HIRING OF TAXIS AT SEPARATE FARES

Functions in relation to operator's licence authorising separate fares

10.—(1) Subject to subsection (4), the Department shall, in deciding whether to authorise under an operator's licence a person to operate a taxi service for or in respect of the carriage of passengers at separate fares or to attach conditions to any such operator's licence, have regard, in particular, to—

- (a) the interests of—
 - (i) persons likely to use the service to be provided under the licence; and
 - (ii) the interests of other persons holding such a licence or persons holding a road service licence under the Transport Act (Northern Ireland) 1967 (c. 37); and
- (b) the matters specified in subsection (2)

(2) The matters referred to in subsection (1)(b) are—

- (a) the suitability of the routes on which the service may be provided under the licence;
- (b) the extent, if any, to which the needs of persons likely to use the service to be provided are already adequately and economically served;
- (c) the general effect which the grant of the licence would be expected to have on the holders of other such licences or road service licences granted

under the Transport Act (Northern Ireland) 1967 and on the facilities being provided under such licences for the carriage of passengers;

- (d) the need for ensuring fair competition among persons providing facilities in Northern Ireland for the carriage for hire or reward of passengers by road.

(3) In addition to the requirements in subsections (1) and (2), subject to subsection (4) the Department shall take into consideration—

- (a) any recommendations made by the General Consumer Council for Northern Ireland;
- (b) any representations made by—
 - (i) persons who are already providing facilities for the carriage of passengers for hire or reward on any road along or near the routes the subject of the application or any part of those routes;
 - (ii) a district council; or
 - (iii) the Northern Ireland Tourist Board.

(4) Subsections (1), (2) and (3) shall not apply, for or until such time or for such a period as may be prescribed, in relation to a person who is applying to be authorised under an operator's licence to operate a taxi service for or in respect of the carriage of passengers at separate fares and who—

- (a) immediately before the coming into operation of this section, was the holder of a road service licence to provide a service on the same routes granted under the Transport Act (Northern Ireland) 1967; or
- (b) meets any other requirements that may be prescribed.