

EXPLANATORY MEMORANDUM TO

The Taxi Operators Licensing Regulations (Northern Ireland) 2012

SR 2012 No. 316

1. Introduction

- 1.1. This Explanatory Memorandum has been prepared by the Department of the Environment to accompany the Statutory Rule (details above) which is laid before the Northern Ireland Assembly.
- 1.2. The Statutory Rule is made under sections 1(4), 2(4), (5) and (7), 3(2),(3), (6), and (7), 28(3), 30(1)(a) and (b), (2) and (3), 33(1)(e) and 56 of the Taxis Act (Northern Ireland) 2008 and is subject to the negative resolution procedure.

2. Purpose

- 2.1. These Regulations which are made under the Taxis Act (Northern Ireland) 2008 (the Act) introduce provisions for the licensing of taxi operators in Northern Ireland.
- 2.2. The Regulations set out the matters relating to applications for the grant or variation of an operator's licence and contain provisions about the keeping and preservation of records.

3. Background

- 3.1. The Regulations provide for the grant and variation of a Taxi Operator's licence and prescribe the conditions subject to which an Operator's licence is granted. The fees payable on an application for the grant or variation of the licence are also prescribed. They also provide for the refund of the fees payable in certain specified circumstances.
- 3.2. The Regulations also prescribe the types of records which a licensed operator shall be required to keep. The details of the register to be maintained by the Department and any additional information related to matters set out in the Act.
- 3.3. They also provide for certain persons to be exempt from the requirement to hold an operator's licence and for an affiliated driver to be an affiliated driver of more than one licensed operator only in the case where the second operator is providing wedding or funeral cars.
- 3.4. Transitional provisions have been included which will enable temporary licences and temporary variations to be made in certain cases.

4. Consultation

- 4.1. Consultation on proposals for the introduction of taxi operator licensing received wide ranging support from the taxi industry and consumer groups.

5. Equality Impact

- 5.1. The introduction of taxi operator licensing was assessed with regards to its impact on s75 groups. No adverse impact on any s75 group was identified.

6. Regulatory Impact

- 6.1. A draft partial RIA was produced which identified the licence fee as the only significant impact with the benefits to the industry in terms of improved customer confidence and the potential reduction in illegal taxiing mitigating this impact.

7. Financial Implications

- 7.1. Taxi operators are required to pay a fee to obtain an operator licence. This fee is proportionate to the size of their business. The fees for the licensing regime have been calculated to allow the Department to cover the costs of administering the scheme.

8. Section 24 of the Northern Ireland Act 1998

- 8.1. The proposals have been scrutinised to ensure compliance with s24. They are compatible with Convention rights, Community Law and do not result in discrimination.

9. EU Implications

- 9.1. Not Applicable

10. Parity or Replicatory Measure

- 10.1. Not applicable.

11. Additional Information

- 11.1. Not applicable