



Private Hire Vehicles (London) Act 1998

1998 CHAPTER 34

Licences: general provisions

22 Return of licences, etc. **E+W**

- (1) [^{F1}Without prejudice to subsection (1A),] the holder of a London PHV operator's licence shall return the licence to the [^{F2}licensing authority] after the expiry or revocation of that licence, within the period of 7 days after the day on which the licence expires or the revocation takes effect.
- [^{F3}(1A) Where the suspension or revocation of a London PHV operator's licence has immediate effect by virtue of section 17(2), the holder of the licence shall, at the request of a constable or authorised officer, forthwith return the licence to the constable or officer.]
- (2) [^{F4}Without prejudice to subsection (2A),] the owner of a vehicle to which a London PHV licence relates shall return the licence and [^{F5}every plate or disc] which was issued for the vehicle under section 10 [^{F6}or any regulations made under this Act] to the [^{F2}licensing authority] after the expiry or revocation of that licence within the period of 7 days after the day on which the licence expires or the revocation takes effect.
- [^{F7}(2A) Where the suspension or revocation of a London PHV licence has immediate effect by virtue of section 9(3) or 17(2), the owner of the vehicle to which the licence relates shall, at the request of a constable or authorised officer, forthwith return to the constable or officer the licence and every plate or disc which was issued for the vehicle under section 10 or any regulations made under this Act.]
- (3) [^{F8}Without prejudice to subsection (3A),] the holder of a London PHV driver's licence shall return the licence and his driver's badge to the [licensing authority] after the expiry or revocation of that licence, within the period of 7 days after the day on which the licence expires or the revocation takes effect.
- [^{F9}(3A) Where the suspension or revocation of a London PHV driver's licence has immediate effect by virtue of section 17(2), the holder of the licence shall, at the request of a constable or authorised officer, forthwith return his driver's badge to the constable or officer.]

Changes to legislation: There are currently no known outstanding effects for the Private Hire Vehicles (London) Act 1998, Section 22. (See end of Document for details)

- (4) [^{F10}Without prejudice to subsections (1A), (2A) and (3A),] on the suspension of a licence under this Act, the [^{F12}licensing authority], a constable or an authorised officer may by notice direct the holder of the licence, or the owner of the vehicle, to return the licence to [^{F11}the authority, constable or officer (as the case may be)] within the period of 7 days after the day on which the notice is served on that person.

A direction under this subsection may also direct—

- (a) the return by the vehicle owner of [^{F12}every disc or plate] which was issued for the vehicle under section 10 [^{F13}or any regulations made under this Act] (in the case of a London PHV licence); or
 - (b) the return by the licence holder of the driver's badge (in the case of a London PHV driver's licence).
- (5) A person who without reasonable excuse fails to comply with any requirement or direction under this section to return a licence, disc, plate or badge is guilty of an offence.
- (6) A person guilty of an offence under this section is liable on summary conviction—
- (a) to a fine not exceeding level 3 on the standard scale; and
 - (b) in the case of a continuing offence, to a fine not exceeding ten pounds for each day during which an offence continues after conviction.
- (7) A constable or authorised officer is entitled to remove and retain [^{F14}every disc or plate] from a vehicle to which an expired, suspended or revoked London PHV licence relates following—
- (a) a failure to comply with subsection (2) or a direction under subsection (4);
 - (b) a suspension or revocation of the licence which has immediate effect by virtue of section 9(3) or 17(2).

Textual Amendments

- F1** Words in s. 22(1) inserted (coming into force in accordance with ss. 1(2), 3 of the amending Act) by [Transport for London Act 2008 \(c. i\), s. 24\(2\)](#)
- F2** Words in s. 22 substituted (22.1.2001) by 1999 c. 29, s. 254(3), [Sch. 21 para. 2](#) (with [Sch. 12 para. 9\(1\)](#)); S.I. 2000/3145, [art. 2](#)
- F3** S. 22(1A) inserted (coming into force in accordance with ss. 1(2), 3 of the amending Act) by [Transport for London Act 2008 \(c. i\), s. 24\(3\)](#)
- F4** Words in s. 22(2) inserted (coming into force in accordance with ss. 1(2), 3 of the amending Act) by [Transport for London Act 2008 \(c. i\), s. 24\(4\)\(a\)](#)
- F5** Words in s. 22(2) substituted (coming into force in accordance with ss. 1(2), 3 of the amending Act) by [Transport for London Act 2008 \(c. i\), s. 24\(4\)\(b\)](#)
- F6** Words in s. 22(2) inserted (coming into force in accordance with ss. 1(2), 3 of the amending Act) by [Transport for London Act 2008 \(c. i\), s. 24\(4\)\(c\)](#)
- F7** S. 22(2A) inserted (coming into force in accordance with ss. 1(2), 3 of the amending Act) by [Transport for London Act 2008 \(c. i\), s. 24\(5\)](#)
- F8** Words in s. 22(3) inserted (coming into force in accordance with ss. 1(2), 3 of the amending Act) by [Transport for London Act 2008 \(c. i\), s. 24\(6\)](#)
- F9** S. 22(3A) inserted (coming into force in accordance with ss. 1(2), 3 of the amending Act) by [Transport for London Act 2008 \(c. i\), s. 24\(7\)](#)
- F10** Words in s. 22(4) inserted (coming into force in accordance with ss. 1(2), 3 of the amending Act) by [Transport for London Act 2008 \(c. i\), s. 24\(8\)\(a\)](#)

Changes to legislation: There are currently no known outstanding effects for the Private Hire Vehicles (London) Act 1998, Section 22. (See end of Document for details)

- F11** Words in s. 22(4) substituted (22.1.2001) by 1999 c. 29, s. 254(3), **Sch. 21 para. 13** (with Sch. 12 para. 9(1)); S.I. 2000/3145, **art. 2**
- F12** Words in s. 22(4)(a) substituted (coming into force in accordance with ss. 1(2), 3 of the amending Act) by **Transport for London Act 2008 (c. i), s. 24(8)(b)**
- F13** Words in s. 22(4)(a) inserted (coming into force in accordance with ss. 1(2), 3 of the amending Act) by **Transport for London Act 2008 (c. i), s. 24(8)(b)**
- F14** Words in s. 22(7) substituted (coming into force in accordance with ss. 1(2), 3 of the amending Act) by **Transport for London Act 2008 (c. i), s. 24(9)**

Commencement Information

- I1** S. 22 partly in force; s. 22 not in force at Royal Assent see s. 40(2); s. 22(1)(4) in force at 22.1.2001 by **S.I. 2000/3144, art. 2**; s. 22(5)(6) in force at 22.10.2001 by **S.I. 2000/3144, art. 3**
- I2** S. 22(2) in force at 8.3.2004 for specified purposes and 8.4.2004 in so far as not already in force by **S.I. 2004/241, art. 2(1)**
- I3** S. 22(3) in force at 1.4.2003 by **S.I. 2003/580, arts. 1(2), 2(1)(c)**
- I4** S. 22(7) in force at 8.6.2004 by **S.I. 2004/241, art. 2(2)**

Changes to legislation:

There are currently no known outstanding effects for the Private Hire Vehicles (London) Act 1998, Section 22.