
Changes to legislation: Greater London Authority Act 1999, Paragraph 5 is up to date with all changes known to be in force on or before 20 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

SCHEDULE 20

HACKNEY CARRIAGES

PART I

TRANSFERS OF FUNCTIONS AND AMENDMENTS

The Metropolitan Public Carriage Act 1869

- 5 (1) The ^{M1}Metropolitan Public Carriage Act 1869 shall be amended as follows.
- (2) In section 4 (interpretation)—
- (a) for the definition of “Prescribed” there shall be substituted the following definitions—
- ““London cab order” shall mean an order made by Transport for London.
- “Prescribed” shall mean prescribed by London cab order.”; and
- (b) at the end of the section there shall be added the following paragraph—
- “Any power to make a London cab order under this Act includes power to vary or revoke a previous such order.”
- (3) For section 6 (grant of hackney carriage licences) there shall be substituted—

“6 Grant of hackney carriage licences.

- (1) Transport for London shall have the function of licensing to ply for hire within the limits of this Act hackney carriages, to be distinguished in such manner as may be prescribed.
- (2) A licence under this section may—
- (a) be granted on such conditions,
- (b) be in such form,
- (c) be subject to revocation or suspension in such event, and
- (d) generally be dealt with in such manner,
- as may be prescribed.
- (3) Subsection (2) of this section is subject to the following provisions of this section.
- (4) A licence under this section shall, if not revoked or suspended, be in force for one year.

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- (5) A fee of such amount (if any) as Transport for London may determine shall be paid to Transport for London—
- (a) by any applicant for a licence under this section, on making the application for the licence;
 - (b) by any applicant for the taking or re-taking of any test or examination, or any part of a test or examination, with respect to any matter of fitness, on making the application for the taking or re-taking of the test, examination or part; and
 - (c) by any person granted a licence under this section, on the grant of the licence.
- (6) In paragraph (b) of subsection (5) of this section “matter of fitness” means—
- (a) any matter as respects which Transport for London must be satisfied before granting a licence under this section; or
 - (b) any matter such that, if Transport for London is not satisfied with respect to the matter, they may refuse to grant a licence under this section.
- (7) Different amounts may be determined under subsection (5) of this section for different purposes or different cases.
- (8) Transport for London may remit or refund the whole or part of a fee under subsection (5) of this section.
- (9) Provision shall be made by London cab order—
- (a) for the transfer of a licence under this section to the widow or to any child of full age of any person to whom such a licence has been granted who may die during the continuance of the licence leaving a widow or child of full age; and
 - (b) for the transfer of a licence under this section to the husband of any woman to whom such a licence has been granted and who marries during the continuance of the licence.”
- (4) In section 7 (penalty on use of unlicensed carriage) the words “by the said Secretary of State” shall cease to have effect.
- (5) For section 8 (hackney carriage to be driven by licensed drivers) there shall be substituted—

“8 Hackney carriage to be driven by licensed drivers.

- (1) Transport for London shall have the function of licensing persons to be drivers of hackney carriages.
- (2) No hackney carriage shall ply for hire within the limits of this Act unless under the charge of a driver having a licence under this section from Transport for London.
- (3) If any hackney carriage plies for hire in contravention of this section—
 - (a) the person driving the carriage, and
 - (b) the owner of the carriage, unless he proves that the driver acted without his privity or consent,
 shall each be liable to a penalty not exceeding level 3 on the standard scale.

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- (4) Transport for London may send to the Commissioner of Police of the Metropolis or the Commissioner of Police for the City of London—
 - (a) details of a person to whom Transport for London is considering granting a licence under this section, and
 - (b) a request for the Commissioner’s observations;and the Commissioner shall respond to the request.
- (5) A licence under this section may—
 - (a) be granted on such conditions,
 - (b) be in such form,
 - (c) be subject to revocation or suspension in such event, and
 - (d) generally be dealt with in such manner,as may be prescribed.
- (6) Subsection (5) of this section is subject to the following provisions of this section.
- (7) A licence under this section shall, if not revoked or suspended, be in force for three years.
- (8) A fee of such amount (if any) as Transport for London may determine shall be paid to Transport for London—
 - (a) by any applicant for a licence under this section, on making the application for the licence;
 - (b) by any applicant for the taking or re-taking of any test or examination, or any part of a test or examination, with respect to any matter of fitness, on making the application for the taking or re-taking of the test, examination or part; and
 - (c) by any person granted a licence under this section, on the grant of the licence.
- (9) In paragraph (b) of subsection (8) of this section “matter of fitness” means—
 - (a) any matter as respects which Transport for London must be satisfied before granting a licence under this section; or
 - (b) any matter such that, if Transport for London is not satisfied with respect to the matter, they may refuse to grant a licence under this section.
- (10) Different amounts may be determined under subsection (8) of this section for different purposes or different cases.
- (11) Transport for London may remit or refund the whole or part of a fee under subsection (8) of this section.”
- (6) In section 9 (regulations as to hackney and stage carriages)—
 - (a) for “The said Secretary of State may from time to time by order” there shall be substituted “ Transport for London may from time to time by London cab order ”;
 - (b) in paragraph (1) of the restrictions (consents required for stands in the City appointed by the Secretary of State) for “the Secretary of State” there shall be substituted “ Transport for London ”; and
 - (c) at the end of the restrictions there shall be added—

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“(4) Any power of Transport for London to fix by regulations made by London cab order under this section any rates or fares to be paid for hackney carriages is exercisable subject to and in accordance with any directions given to Transport for London by the Mayor of London as to the basis on which those rates or fares are to be calculated.”

- (7) In section 10 (power of Secretary of State to annex penalty for breach of order) for “Where the Secretary of State is authorised to make any order under this Act, he” there shall be substituted “ Where Transport for London is authorised to make a London cab order under this Act, Transport for London ”.
- (8) For section 11 (other persons by whom licences may be granted) there shall be substituted—

“11 Grant of licences by other persons at direction of TfL.

Any licence which may be granted by Transport for London under this Act may, if Transport for London so directs, be granted by such person as may be appointed for the purpose in the direction.”

- (9) In section 12 (powers to carry Act into execution)—
- (a) for “The said Secretary of State” there shall be substituted “ Transport for London ”; and
 - (b) for “he”, in both places where it occurs, there shall be substituted “ Transport for London ”.
- (10) In section 14 (power to affix placards etc to lamp posts) for “The Commissioner of the Metropolitan Police” there shall be substituted “ Transport for London ”.
- (11) In section 15 (existing Acts to continue in force) for “by any order or regulation of the said Secretary of State” there shall be substituted “ by any London cab order ”.

Marginal Citations

M1 1869 c. 115.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 334(2A)-(2E) substituted for s. 334(2)-(6) by [2023 c. 55 s. 95\(2\)](#)
- s. 334(9)-(11) inserted by [2023 c. 55 s. 95\(3\)](#)
- s. 337(1A) inserted by [2023 c. 55 s. 96\(1\)\(c\)](#)
- s. 337(2)(ca) inserted by [2023 c. 55 Sch. 6 para. 15](#)
- Sch. 23 para. 1(3A) inserted by [2023 c. 55 s. 244\(2\)](#)
- Sch. 23 para. 3A3B and cross-heading inserted by [2023 c. 55 s. 244\(3\)](#)
- Sch. 23 para. 4(2A)(2B) inserted by [2023 c. 55 s. 244\(4\)](#)
- Sch. 23 para. 4A and cross-heading inserted by [2023 c. 55 s. 244\(6\)](#)