

SCHEDULES

SCHEDULE 21

Section 254.

THE PRIVATE HIRE VEHICLES (LONDON) ACT 1998

- 1 The Private Hire Vehicles (London) Act 1998 shall be amended as follows.
- 2 Except in sections 37, 38 and 40, for “Secretary of State”, wherever occurring, there shall be substituted “licensing authority”.
- 3 In section 3(3) (grant of London operator’s licences) for “he” there shall be substituted “the authority”.
- 4 In section 7(2) (grant of London PHV licences) for “he” there shall be substituted “the authority”.
- 5 In section 8(2) (presentation of vehicle for inspection and testing) for “he” there shall be substituted “the authority”.
- 6 In section 10(3) (exemption from exhibiting disc or plate) for “he” there shall be substituted “the authority”.
- 7 (1) Section 13 (London PHV driver’s licences) shall be amended as follows.
 - (2) In subsection (2) (grant of London PHV driver’s licence) for “he” there shall be substituted “the authority”.
 - (3) In subsection (3) (requirements as to knowledge of London and topographical skill)
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 - (a) for “his” there shall be substituted “the authority's”; and
 - (b) for “him” there shall be substituted “the authority”.
- 8 (1) Section 14 (issue of driver’s badges) shall be amended as follows.
 - (2) In subsection (1) (duty to issue badge) for “he” there shall be substituted “the authority”.
 - (3) In subsection (4) (exemption from wearing badge) for “he” in the second place where it occurs there shall be substituted “the authority”.
- 9 In section 15(2) (further information to be furnished with application for licence) for “he” there shall be substituted “the authority”.
- 10 (1) Section 17 (suspension and revocation under section 16: procedure) shall be amended as follows.
 - (2) In subsection (1)(a) (duty to give notice of decision and grounds for it) for “he” there shall be substituted “the authority”.
 - (3) In subsection (2) (immediate commencement of suspension or revocation in interests of public safety) for “he” there shall be substituted “the authority”.

Status: This is the original version (as it was originally enacted).

- 11 In section 18(4) (reference to new operating centre not to be added unless satisfied that premises meet prescribed requirements) for “he” there shall be substituted “the authority”.
- 12 (1) Section 19 (variation of operator’s licence) shall be amended as follows.
- (2) In subsection (1) (suspension or variation as to operating centre) for “he” there shall be substituted “the authority”.
- (3) In subsection (2)(a) (duty to give notice of decision and grounds for it) for “he” there shall be substituted “the authority”.
- (4) In subsection (3) (immediate commencement of suspension or revocation in interests of public safety)—
- (a) for “his” in both places where it occurs there shall be substituted “the authority’s”; and
- (b) for “he” there shall be substituted “the authority”.
- (5) The sidenote to the section accordingly becomes “Variation of operator’s licence by the licensing authority.”
- 13 In section 22(4) (notice directing return of licence) for “him” there shall be substituted “the authority, constable or officer (as the case may be)”.
- 14 The sidenote to section 24 becomes “Delegation of functions by the licensing authority.”
- 15 In section 30(2) (consultation with cab and private hire trade before making regulations prohibiting certain signs, notices etc) for “him” and “he” there shall be substituted “the authority”.
- 16 (1) Section 32 (regulations) shall be amended as follows.
- (2) In subsection (1) (purpose for which regulations may be made) after “this Act”, in both places, there shall be inserted “(other than section 37)”.
- (3) In subsection (3) (power to make regulations to be exercisable by statutory instrument subject to negative parliamentary procedure) for “conferred by this Act” there shall be substituted “conferred on the Secretary of State by section 37”.
- (4) At the end of the section there shall be added—
- “(4) Any power of the licensing authority to make regulations under this Act includes power to vary or revoke previous regulations made under this Act (other than regulations made under section 37).
- (5) Subsection (4) applies notwithstanding that the previous regulations in question were made by the Secretary of State by statutory instrument.
- (6) The licensing authority shall secure that any regulations made under this Act by the authority are printed and published.
- (7) A fee may be charged for the sale of regulations printed and published under subsection (6).”
- 17 In section 36 (interpretation) after the definition of “licensed taxi” there shall be inserted—
- ““the licensing authority” means Transport for London;”.

Status: This is the original version (as it was originally enacted).

- 18 In section 37 (power of Secretary of State to make transitional provisions etc) at the end there shall be added—
- “(3) Before making regulations under this section the Secretary of State shall consult the licensing authority.”
- 19 Section 38 (financial provisions relating to the Secretary of State) shall cease to have effect.