

SCHEDULES

SCHEDULE 5

PRIVATE HIRE VEHICLES ETC

Private Hire Vehicles (London) Act 1998 (c. 34)

39 After section 13 insert—

“13A London PHV driver’s licences for persons subject to immigration control

- (1) Subsection (2) applies if—
 - (a) a London PHV driver’s licence is to be granted to a person who has been granted leave to enter or remain in the United Kingdom for a limited period (“the leave period”);
 - (b) the person’s leave has not been extended by virtue of section 3C of the Immigration Act 1971 (continuation of leave pending variation decision); and
 - (c) apart from subsection (2), the period for which the licence would have been granted would have ended after the end of the leave period.
- (2) The licence must be granted for a period which ends at or before the end of the leave period.
- (3) Subsection (4) applies if—
 - (a) a London PHV driver’s licence is to be granted to a person who has been granted leave to enter or remain in the United Kingdom for a limited period; and
 - (b) the person’s leave has been extended by virtue of section 3C of the Immigration Act 1971 (continuation of leave pending variation decision).
- (4) The licence must be granted for a period which does not exceed six months.
- (5) A London PHV driver’s licence ceases to be in force if the person to whom it was granted becomes disqualified by reason of the person’s immigration status from driving a private hire vehicle.
- (6) If subsection (5) applies to a licence, the person to whom it was granted must, within the period of 7 days beginning with the day after the day on which the person first became disqualified, return the licence and the person’s driver’s badge to the licensing authority.
- (7) A person who, without reasonable excuse, contravenes subsection (6) is guilty of an offence and liable on summary conviction—
 - (a) to a fine not exceeding level 3 on the standard scale; and

Status: This is the original version (as it was originally enacted).

- (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.
- (8) The Secretary of State may by regulations amend the amount for the time being specified in subsection (7)(b).”