

Status: Point in time view as at 21/04/2008. This version of this cross heading contains provisions that are not valid for this point in time.

Changes to legislation: Taxis Act (Northern Ireland) 2008, Cross Heading: General is up to date with all changes known to be in force on or before 01 September 2022. 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)



2008 CHAPTER 4

PART 6

MISCELLANEOUS AND GENERAL

General

Orders and regulations

56.—(1) The Department may make regulations for any purpose for which regulations may be made under this Act or for prescribing anything which falls to be prescribed under any provision of this Act.

(2) Any orders or regulations under this Act may contain such incidental, supplementary, consequential, transitory, transitional or saving provisions as the Department (or the Secretary of State in the case of regulations under section 42) considers necessary or expedient.

(3) Without prejudice to the operation of section 17(5) of the Interpretation Act (Northern Ireland) 1954 (c. 33), any orders or any regulations made under this Act may be of a local, as opposed to public general, nature and may be limited in their application to a particular area.

(4) Subject to subsection (5), an order (except an order under section 59) or regulations under this Act shall be subject to negative resolution.

(5) Regulations under section 42 shall be subject to annulment in pursuance of a resolution of either House of Parliament in like manner as a statutory instrument and section 5 of the Statutory Instruments Act 1946 (c. 36) shall apply accordingly.

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Interpretation

57.—(1) In this Act—

“the 1981 Order” means the Road Traffic (Northern Ireland) Order 1981 (NI 1);

“the 1995 Order” means the Road Traffic (Northern Ireland) Order 1995 (NI 18);

“affiliated driver” has the meaning given by section 1(2);

“authorised officer” means a vehicle examiner or an officer authorised in writing by the Department for the purposes of this Act;

“the Department” means the Department of the Environment;

“driver”, where a separate person acts as steersperson of a motor vehicle, includes that person as well as any other person engaged in the driving of the vehicle;

“licensed operator” has the meaning given by section 1(1);

“licensed taxi” means a taxi for which there is in force a taxi licence;

“motor vehicle” has the same meaning as in the 1981 Order;

“notice” means notice in writing;

“operate a taxi service” has the meaning given by section 1(4);

“operating centre” means premises at or from which a taxi operator operates a taxi service;

“operator's licence” means a licence under section 2;

“owner”, in relation to a vehicle, means the person by whom the vehicle is kept, which in the case of a vehicle registered under the Vehicle Excise and Registration Act 1994 (c. 22) is presumed (unless the contrary is proved) to be the person in whose name the vehicle is registered

“premises” includes any place (including premises occupied as a private dwelling, any installation on land or any movable structure), but (except for the purposes of a power of entry under section 38(3)) does not include any vehicles;

“prescribed” means prescribed by regulations;

“regulations” (except in sections 41, 42 and 56) means regulations made by the Department;

“statutory provision” has the meaning given in section 1(f) of the Interpretation Act (Northern Ireland) 1954;

“taxi” means a motor vehicle constructed or adapted to carry not more than 8 passengers in addition to the driver—

(a) which is used in standing or plying for hire or reward; or

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(b) which is provided with the services of a driver and is used to carry passengers for hire or reward in the course of business of carrying passengers,

but does not include any vehicle in respect of which a certificate of exemption in the prescribed form has been issued by the Department or any vehicle to which Article 66A of the 1981 Order (car-sharing arrangements) applies;

“taxi booking” means a booking for a taxi to carry one or more passengers for hire or reward (including a booking to carry out as sub-contractor a taxi booking accepted by another operator);

“taxi driver's licence” means a licence under section 23;

“taxi licence” means a licence under section 13;

“taximeter” means a device that works together with a signal generator to make a measuring instrument; with the device measuring duration, calculating distance on the basis of a signal delivered by the distance signal generator, and calculating and displaying the fare to be charged in respect of any journey in a taxi on the basis of the calculated distance or the measured duration of the journey or a combination of both;

“taxi operator” means a person who operates a taxi service;

“vehicle examiner” means an examiner appointed by the Department under Article 74 of the 1995 Order.

(2) In this Act, references to the carriage of passengers for hire or reward include references to the carriage of passengers at separate fares.

VALID FROM 23/11/2009

Consequential amendments and repeals

58.—(1) Schedule 2 (which contains minor and consequential amendments) shall have effect.

(2) The statutory provisions mentioned in the first column of Schedule 3 are repealed to the extent set out in the second column.

Commencement Information

II [S. 58](#) partly in operation; [s. 58](#) not in operation at Royal Assent see [s. 59](#); [s. 58\(1\)](#) in operation for certain purposes at 23.11.2009 by [S.R. 2009/352](#), [art. 2](#), [Sch.](#)

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Commencement

59 This Act (except sections 55 to 57, this section and section 60) shall come into operation on such day or days as the Department may by order appoint.

Subordinate Legislation Made

P1 [S. 59](#) power partly exercised: 23.11.2009 appointed for specified provisions by [S.R. 2009/352, art. 2, Sch.](#) (with [art. 3](#))

Short title

60 This Act may be cited as the Taxis Act (Northern Ireland) 2008.

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