

## SCHEDULES

### SCHEDULE 1

Section 48.

ENTRIES TO BE INSERTED IN PART 1 OF SCHEDULE 1 TO  
THE ROAD TRAFFIC OFFENDERS (NORTHERN IRELAND)  
ORDER 1996 IN RESPECT OF OFFENCES UNDER THIS ACT

(1) Provision creating offence	(2) General nature of offence	(3) Mode of Prosecution	(4) Punishment	(5) Disqualification	(6) Endorsement	(7) Penalty Points
<b><i>Offences under the Taxis Act (Northern Ireland) 2008</i></b>						
Section 1(3)	Operating a taxi service without an operator's licence	Summarily	Level 5 on the standard scale			
Section 3(5)	Knowingly keeping or making false records etc.	Summarily	Level 3 on the standard scale			
Section 3(10)	Operating a taxi service in respect of unlicensed taxi or in respect of taxi driven by unlicensed driver	Summarily	Level 5 on the standard scale			

(1) Provision creating offence	(2) General nature of offence	(3) Mode of Prosecution	(4) Punishment	(5) Disqualification	(6) Endorsement	(7) Penalty Points
Section 3(11)	Contravention of other operator's duties	Summarily	Level 3 on the standard scale			
Section 4(2)	Sub- contracting work to a non- licensed operator	Summarily	Level 3 on the standard scale			
Section 5(2)	Contravention of provisions of or made under Chapter 2	Summarily	Level 3 on the standard scale			
Section 12(2) and (3)	Using, or permitting a taxi to be used, without a taxi licence	Summarily	Level 5 on the standard scale			
Section 14(6)	Contravention of taxi owner's duties	Summarily	Level 3 on the standard scale			
Section 15(3) and (4)	Contravention of requirement to exhibit taxi plates etc.	Summarily	Level 3 on the standard scale			
Section 16(4)	Contravention of regulations	Summarily	Level 3 on the			

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*Status: This is the original version (as it was originally enacted).*

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(1) Provision creating offence	(2) General nature of offence	(3) Mode of Prosecution	(4) Punishment	(5) Disqualification	(6) Endorsement	(7) Penalty Points
	relating to regulation of fares		standard scale			
Section 17(4)	Failure to display fares or contravention of regulations to secure publication of fares	Summarily	Level 3 on the standard scale			
Section 18(6)	Contravention of provisions relating to taximeters	Summarily	Level 3 on the standard scale			
Section 18(8)	Unlawful tampering with a taximeter	Summarily	Level 3 on the standard scale			
Section 19(2)	Carrying more than the prescribed number of passengers	Summarily	Level 3 on the standard scale			
Section 20(3)	Contravention of regulations concerning taxis or use of taxis	Summarily	Level 3 on the standard scale			
Section 22(2)	Driving a taxi without	Summarily	Level 5 on the	Discretionary if committed	Obligatory if committed	3–6

(1) Provision creating offence	(2) General nature of offence	(3) Mode of Prosecution	(4) Punishment	(5) Disqualification	(6) Endorsement	(7) Penalty Points
	a taxi driver's licence		standard scale	by driving as a taxi where no licence authorising the driving of that vehicle could have been granted	described in column 5	
Section 22(3)	Operating a taxi service driven by a taxi driver without a taxi driver's licence or owning a taxi being driven by a taxi driver without a taxi driver's licence	Summarily	Level 5 on the standard scale			
Section 22(5)	Driving a taxi without a taxi driver's licence for that	Summarily	Level 3 on the standard scale			

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(1) Provision creating offence	(2) General nature of offence	(3) Mode of Prosecution	(4) Punishment	(5) Disqualification	(6) Endorsement	(7) Penalty Points
	class of taxi					
Section 22(6)	Operating a taxi service driven by a taxi driver without a taxi driver's licence for that class of taxi or owning a taxi driven by a taxi driver without a taxi driver's licence for that class of taxi	Summarily	Level 3 on the standard scale			
Section 24(5)	Failure to wear a taxi driver's badge or display other identification	Summarily	Level 3 on the standard scale			
Section 31(5)	Failure to produce	Summarily	Level 3 on the			

(1) Provision creating offence	(2) General nature of offence	(3) Mode of Prosecution	(4) Punishment	(5) Disqualification	(6) Endorsement	(7) Penalty Points
	documents etc.		standard scale			
Section 32(6)	Failure to comply with requirement or direction to return licence, plate, etc. or badge	Summarily	Level 3 on the standard scale			
Section 37(3)	Failure to comply with an enforcement notice	Summarily	Level 3 on the standard scale			
Section 39(3)	Failure to make alternative arrangements for conveyance of passengers	Summarily	Level 3 on the standard scale			
Section 43(1)	Soliciting any person to be carried in a taxi	Summarily	Level 3 on the standard scale			
Section 44(1)	Knowingly etc. to make false statement or furnish	Summarily	Level 5 on the standard scale			

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(1) Provision creating offence	(2) General nature of offence	(3) Mode of Prosecution	(4) Punishment	(5) Disqualification	(6) Endorsement	(7) Penalty Points
	false information					
Section 44(2)	Forging, possessing, documents, etc. with intent to deceive	Summarily	Level 5 on the standard scale			
Section 45(1)	Obstruction of constable or authorised officer	Summarily	Level 3 on the standard scale			
Section 45(2)	Failure to comply with requirement of constable or authorised officer or failure to give a constable or authorised officer assistance or information	Summarily	Level 3 on the standard scale			
Section 45(3)	Knowingly to make a false statement to authorised	Summarily	Level 5 on the standard scale			

(1)	(2)	(3)	(4)	(5)	(6)	(7)
Provision creating offence	General nature of offence	Mode of Prosecution	Punishment	Disqualification	Endorsement	Penalty Points
	officer or constable					

## SCHEDULE 2

Section 58(1).

## MINOR AND CONSEQUENTIAL AMENDMENTS

*The Road Traffic (Northern Ireland) Order 1981 (NI 1)*

1. In Article 2(2) (interpretation), in the definition of “the Road Traffic Orders”—

(a) omit “and”; and

(b) after “2007” add “and the Taxis Act (Northern Ireland) 2008”.

2. In Article 66A(1) (car-sharing arrangements), after “public service vehicle” insert “or taxi (within the meaning of the Taxis Act (Northern Ireland) 2008)”.

*The Disability Discrimination Act 1995 (c. 50)*

3. In section 32(5) (taxi accessibility regulations), for the definition of “taxi” substitute—

““taxi” means a taxi within the meaning of the Taxis Act (Northern Ireland) 2008 which is licensed under section 13 of that Act for use in standing or plying for hire or reward or to carry passengers for hire or reward.”.

4. In section 34 (new licences conditional on compliance with accessibility tax regulations)—

(a) for subsection (1) substitute—

“(1) The Department of the Environment shall not grant a taxi licence under section 13 of the Taxis Act (Northern Ireland) 2008 for a taxi unless the vehicle conforms with those provisions of the taxi accessibility regulations with which it will be required to conform if licensed.”;

(b) in subsection (2) after “such a licence” insert “or a public service vehicle licence granted under Article 61 of the Road Traffic (Northern Ireland) Order 1981”.

5. In section 37A (carrying of assistance dogs in private hire vehicles)—

- (a) for “private hire vehicle”, each place it occurs, substitute “taxi”;
- (b) in subsection (9)—
  - (i) for the definition of “driver” substitute
    - ““driver” means a person who holds a taxi driver’s licence granted under—
      - (a) Article 79A of the Road Traffic (Northern Ireland) Order 1981;
      - or
      - (b) section 23 of the Taxis Act (Northern Ireland) 2008;”;
    - (ii) after the definition of “assistance dog” insert—
      - ““booking” means a taxi booking within the meaning given by section 57(1) of the Taxis Act (Northern Ireland) 2008;”;
    - (iii) for the definition of “operator” substitute—
      - ““operator” means a person who holds an operator’s licence granted under section 2 of the Taxis Act (Northern Ireland) 2008;”.

*The Road Traffic (Northern Ireland) Order 1995 (NI 18)*

- 6. In Article 2(2) (general interpretation)—
  - (a) in the definition of “the Road Traffic Orders”—
    - (i) omit “and”; and
    - (ii) after “2007” add “and the Taxis Act (Northern Ireland) 2008”;
  - (b) after the definition of “statutory provision”, insert—
    - ““taxi” has the same meaning as in the Taxis Act (Northern Ireland) 2008;”.
- 7. In Article 17 (power to administer preliminary tests) in paragraph (8)(b)—
  - (a) at the end of sub-paragraph (iii) omit “or”; and
  - (b) at the end of sub-paragraph (iv) add “or
    - (v) any provision of the Taxis Act (Northern Ireland) 2008.”.
- 8. In Article 63(3) (obligatory test certificates), for sub-paragraph (b) substitute—
  - “(b) a taxi; or”.
- 9. In Article 76 (inspection of public passenger vehicles and goods vehicles) in paragraph (6), after sub-paragraph (a) insert—
  - “(aa) taxis;”.
- 10. In Article 78(1) (prohibitions conditional on inspection, etc.), after “not so adapted” insert “or is a taxi”.

*The Road Traffic Offenders (Northern Ireland) Order 1996 (NI 10)*

11. In Article 2(2) (general interpretation), in the definition of “the Road Traffic Orders”—

- (a) omit “and”; and
- (b) after “2007” add “and the Taxis Act (Northern Ireland) 2008”.

*The Road Traffic Regulation (Northern Ireland) Order 1997 (NI 2)*

12. In Article 2(2) (interpretation) in the definition of “the Road Traffic Orders”—

- (a) omit “and”; an
- (b) after “2007” add “and the Taxis Act (Northern Ireland) 2008”.

*The Traffic Management (Northern Ireland) Order 2005 (NI 14)*

13. In Schedule 1 (contraventions subject to penalty charges)—

- (a) after the paragraph beginning “An offence under Article 19(1) or (3)” insert—
  - “An offence under Article 27A(2).”; and
- (b) for the paragraph beginning “An offence under any statutory provision” substitute—
  - “An offence under any statutory provision of contravening—
    - (a) a prohibition or restriction on the use of a stand or starting place for taxis or taxis of a particular description by a vehicle which is not a taxi or not a taxi of that description; or
    - (b) a prohibition or restriction on a taxi or a taxi of a particular description from standing or plying for hire or reward within a prescribed distance of a stand or starting place for taxis.
 (For the purposes of this paragraph “taxi” has the meaning given by section 57(1) of the Taxis Act (Northern Ireland) 2008).”.

## SCHEDULE 3

Section 58(2).

## REPEALS

Short Title	Extent of repeal
<a href="#">The Road Traffic (Northern Ireland) Order 1981 (NI 1).</a>	Article 79A.
<a href="#">The Road Traffic (Amendment) (Northern Ireland) Order 1991 (NI 3).</a>	Article 6

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Short Title	Extent of repeal
	In Schedule 3, Part 2.
The Disability Discrimination Act 1995 (c. 50).	In Schedule 8, paragraphs 16(2) and 21A(2).
The Road Traffic Offenders (Northern Ireland) Order 1996 (NI 10).	In Part 1 of Schedule 1, the entry relating to Article 79A of the 1981 Order.