

*Status: Point in time view as at 01/09/2012.*

*Changes to legislation: Taxis Act (Northern Ireland) 2008, Section 28 is up to date with all changes known to be in force on or before 09 March 2023. 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 4

#### LICENCES: GENERAL PROVISIONS

##### Variation of licence on request

**28.**—(1) Subject to subsection (2), the Department may, on the application of a licensed operator, vary the licensed operator's licence by adding a reference to a new operating centre or removing an existing reference to an operating centre.

(2) The Department shall not add a reference to a new operating centre unless it is satisfied that the premises in question meet any requirements prescribed under section 2(4)(b).

(3) The Department may, on the application of a licensed operator, vary the licensed operator's licence by—

- (a) adding to or reducing the maximum number of taxis or the maximum or minimum number of taxis of different classes or different classes of use for or in respect of which the licensed operator may operate a taxi service at any one time; or
- (b) varying such other contents, requirements or conditions of the licence as may be prescribed

(4) The Department may, on the application of the owner of a licensed taxi, vary the taxi licence by varying such contents, requirements or conditions as may be prescribed.

(5) The Department may, on the application of the holder of a taxi driver's licence, vary the taxi driver's licence by varying such contents, requirements or conditions of the licence as may be prescribed.

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(6) An application for the variation of a licence under this section shall be made in such form, and include such declarations and information, as the Department may require.

(7) The Department may require an applicant to furnish such further information as it may consider necessary for dealing with the application.

(8) An applicant for the variation of a licence under this section may by notice appeal to the Department against a decision not to vary the licence.

(9) The time within which a person may bring such an appeal is 21 days from the date on which the notice of the decision appealed against is served on the person.

(10) On an appeal under subsection (8), the Department may decide to confirm, reverse or vary the decision as it thinks fit.

(11) The Department shall, on making a decision under subsection (10), give notice of the decision to the appellant including particulars of the grounds of the decision.

(12) A person who is aggrieved by a decision of the Department under subsection (10) may appeal to a court of summary jurisdiction against any such decision.

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**Commencement Information**

- I1** S. 28 in operation at 8.8.2012 for specified purposes by S.R. 2012/313, art. 2(1), Sch. Pt. 1
- I2** S. 28 in operation at 1.9.2012 in so far as not already in operation by S.R. 2012/313, art. 2(2), Sch. Pt. 2

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