



2008 CHAPTER 4

PART 4

LICENCES: GENERAL PROVISIONS

Appeals

34.—(1) This section applies to any appeal which lies under this Act to a court of summary jurisdiction against a decision of the Department in relation to, or to an application for, a licence under this Act.

(2) Any such appeal shall be made in accordance with Part 7 of the Magistrates' Courts (Northern Ireland) Order 1981 (NI 26)

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

(4) In the case of a decision where an appeal lies, the notice of the decision shall state the right of appeal to a court of summary jurisdiction and the time within which an appeal may be brought.

(5) On any appeal the court may make such order as it thinks fit and the order shall (without prejudice to any right of appeal) be binding on the Department.

[^{F1}(6) On any appeal, the court is not entitled to entertain any question as to whether—

- (a) a person should be, or should have been, granted leave to enter or remain in the United Kingdom, or
- (b) a person has, after the date of the decision being appealed against, been granted leave to enter or remain in the United Kingdom.]

Changes to legislation: *Taxis Act (Northern Ireland) 2008, Section 34 is up to date with all changes known to be in force on or before 12 October 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) View outstanding changes*

Textual Amendments

- F1** S. 34(6) inserted (1.12.2016) by Immigration Act 2016 (c. 19), s. 94(1), **Sch. 5 para. 52**; S.I. 2016/1037, reg. 5(i) (with reg. 6)
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Commencement Information

- II** S. 34 in operation at 1.9.2012 by S.R. 2012/313, art. 2(2), **Sch. Pt. 2**

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Changes and effects yet to be applied to :

- specified provision(s) amendment to earlier commencing SR 2014/300 art. 2 Sch. Pt. 2 and 3 by [S.R. 2015/257 art. 2](#)