

2009 No. 352 (C. 25)

ROAD TRAFFIC AND VEHICLES

The Taxis (2008 Act) (Commencement No. 1 and Transitory Provision) Order (Northern Ireland) 2009

Made - - - -

28th October 2009

The Department of the Environment makes the following Order in exercise of the powers conferred by sections 55(1) and (2) and 59 of the Taxis Act (Northern Ireland) 2008(a).

Citation and interpretation

1.—(1) This Order may be cited as the Taxis (2008 Act) (Commencement No. 1 and Transitory Provision) Order (Northern Ireland) 2009.

(2) In this Order “the Act” means the Taxis Act (Northern Ireland) 2008.

Appointed Day

2. The day appointed for the coming into operation of the provisions of the Act specified in the Schedule shall be 23rd November 2009.

Transitory Provision

3. Until paragraph 13(b) of Schedule 2 to the Act comes into operation a penalty charge shall not be payable under Article 4(1) of the Traffic Management (Northern Ireland) Order 2005(b) in respect of the contravention in Schedule 1 to that Order which is specified in the paragraph which begins “An offence under any statutory provision”.

Sealed with the Official Seal of the Department of the Environment on 28th October 2009.



Stanley Duncan
A senior officer of the
Department of the Environment

(a) 2008 c. 4 (N.I.)

(b) S.I. 2005/1964 (N.I. 14); Schedule 1 was amended by 2008 c. 4 (N.I.), Schedule 2, paragraph 13

SCHEDULE

Article 2

Provisions coming into operation on 23rd November 2009

Provisions of the Act	Subject Matter
Section 21	Orders concerning taxis, taxi stands etc.
Section 40	Power to stop and examine motor vehicles suspected of illegal taxiing etc.
Section 54(1) insofar as it relates to the power in Article 65 of the Road Traffic (Northern Ireland) Order 1981(a) to make bye-laws the provisions of which are or could be included in an order under Article 27A of the Road Traffic Regulation (Northern Ireland) Order 1997(b), (4) and (5)	Application of other statutory provisions
Schedule 2, paragraphs 1, 6(a), 11, 12 and 13(a) and section 58(1) insofar as it relates to those paragraphs	Minor and consequential amendments

(a) S.I. 1981/154 (N.I. 1)

(b) S.I. 1997/276 (N.I. 2)

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into operation on 23rd November 2009 the provisions of the Taxis Act (Northern Ireland) 2008 (“the Act”) specified in the Schedule as outlined below.

Section 21 amends the Road Traffic Regulation (Northern Ireland) Order 1997 to provide for the Department for Regional Development to make taxi regulation orders concerning taxis, taxi stands etc.

Section 40 gives the Department of the Environment power to stop and examine motor vehicles suspected of illegal taxiing.

Section 54(1) of the Act, insofar as it relates to the power in Article 65 of the Road Traffic (Northern Ireland) Order 1981 (power to make bye-laws regulating public service vehicles within any area) to make bye-laws which could be included in an order under Article 27A of the Road Traffic Regulation (Northern Ireland) Order 1997.

Section 54(4) and (5) provides for the application of the Road Traffic (Northern Ireland) Order 1981 and the Road Traffic (Northern Ireland) Order 1995 in so far as they relate to taxis, to roads in the area controlled by the Belfast Harbour Commissioners or other harbour commissioners, having similar powers in relation to their harbour areas, and for the purposes of those Orders such roads are deemed to be roads to which the public has access. A member of the Belfast Harbour Police will have the same powers as a member of the Police Service of Northern Ireland to enforce the provisions outlined in this section.

In Schedule 2 a number of minor and consequential amendments are brought into operation.

Article 3 makes a transitory disapplication to a contravention in Schedule 1 to the Traffic Management (Northern Ireland) Order 2005.

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