

EXPLANATORY MEMORANDUM TO

The Taxis (Taximeters, Devices and Maximum Fares) (Amendment) Regulations (Northern Ireland) 2016

SR No. 148

1. Introduction

- 1.1. This Explanatory Memorandum has been prepared by the the Department of the Environment to accompany the Statutory Rule (details above) which is laid before the Northern Ireland Assembly.
- 1.2. The Statutory Rule is made under sections 16(1) and 18(4) and (5) of the Taxis Act (Northern Ireland) 2008 and is subject to the negative resolution procedure.

2. Purpose

- 2.1. The purpose of these Regulations is to amend the Taxis (Taximeters, Devices and Maximum Fares) Regulations (Northern Ireland) 2015 ("the Taximeters Regulations") to address a number of concerns that had been raised subsequent to the making of those Regulations in December 2015.
- 2.2. Accordingly, these Regulations provide for a further exemption to the use of a taximeter, insert a new maximum fare rate for the Christmas and New Year period and adjust the calculation of fares in relation to waiting time.

3. Background

- 3.1. The Taximeters Regulations which come into operation on 31st May 2016 provide that all Class A and B licensed taxis must use a taximeter to calculate a fare, subject to the exemptions specified.
- 3.2. These Regulations add a further exemption to that requirement to cover circumstances where the distance to be travelled by a taxi without the passenger in fulfilling a booking will exceed the distance of the passenger's journey. Having been advised of such circumstances, the passenger may agree to waive their right to have the fare for their journey calculated by a taximeter and otherwise agree the fare in advance of its commencement.
- 3.3. In addition, these Regulations add a new 'Rate 4' maximum fare that can be used by Taxis during the Christmas and New Year period. Adjustments have also been made to the calculation of fares in order to increase the charge for waiting time that is included within each maximum fare rate.
- 3.4. The Regulations also contain other minor and consequential amendments.

4. Consultation

- 4.1. The Department consulted with key stakeholders on these proposed changes to the Taximeters Regulations. While some concerns were expressed, on balance the Department believes that the changes are required. The Department has committed to monitor the new taximeters exemption to ensure that it is fit for purpose.

5. Equality Impact

- 5.1. Consideration was given to compliance with section 75 of the Northern Ireland Act 1998, and there are no positive or negative implications for promotion of equality of opportunity.

6. Regulatory Impact

- 6.1. A Regulatory Impact Assessment was carried out in relation to the Taximeters Regulations and was published on the Department's website.

7. Financial Implications

- 7.1. The changes should maintain the current festive rates and waiting time levels for the taxi industry and will therefore have no impact.

8. Section 24 of the Northern Ireland Act 1998

- 8.1. The Department has considered the matter of Convention rights and Community law and is satisfied that there are no relevant concerns.

9. EU Implications

- 9.1. Not applicable

10. Parity or Replicatory Measure

- 10.1. Provision for taxi regulation in Great Britain is made on a local council basis, and a wide variety of licensing and regulatory regimes are in place. There is no single equivalent to the proposed Regulations.

11. Additional Information

- 11.1. Not applicable