



Private Hire Vehicles (London) Act 1998

1998 CHAPTER 34

Regulation of private hire vehicle operators in London

5 Hirings accepted on behalf of another operator.

- (1) A London PHV operator (“the first operator”) who has in London accepted a private hire booking may not arrange for another operator to provide a vehicle to carry out that booking as sub-contractor unless—
 - (a) the other operator is a London PHV operator and the sub-contracted booking is accepted at an operating centre in London;
 - (b) the other operator is licensed under section 55 of the ^{M1}Local Government (Miscellaneous Provisions) Act 1976 (in this Act referred to as “the 1976 Act”) by the council of a district and the sub-contracted booking is accepted in that district; or
 - (c) the other operator accepts the sub-contracted booking in Scotland.
- (2) A London PHV operator who contravenes subsection (1) is guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- (3) It is a defence in proceedings for an offence under this section for an operator to show that he exercised all due diligence to avoid committing such an offence.
- (4) It is immaterial for the purposes of subsection (1) whether or not sub-contracting is permitted by the contract between the first operator and the person who made the booking.
- (5) For the avoidance of doubt (and subject to any relevant contract terms), a contract of hire between a person who made a private hire booking at an operating centre in London and the London PHV operator who accepted the booking remains in force despite the making of arrangements by that operator for another contractor to provide a vehicle to carry out that booking as sub-contractor.

Changes to legislation: There are currently no known outstanding effects for the Private Hire Vehicles (London) Act 1998, Section 5. (See end of Document for details)

Commencement Information

II S. 5 wholly in force at 22.10.2001; s. 5 not in force at Royal Assent see s. 40(2); s. 5(5) in force at 22.1.2001 by [S.I. 2000/3144](#), **art. 2**; s. 5(1)-(4) in force at 22.10.2001 by [S.I. 2000/3144](#), **art. 3**

Marginal Citations

M1 1976 c. 57.

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