

SCHEDULES

SCHEDULE 5

PRIVATE HIRE VEHICLES ETC

Plymouth City Council Act 1975 (c. xx)

9 After section 11 insert—

“11A Drivers’ licences for persons subject to immigration control

- (1) Subsection (2) applies if—
 - (a) a licence within section 11(1)(a) or (b) is to be granted to a person who has been granted leave to enter or remain in the United Kingdom for a limited period (“the leave period”),
 - (b) the person’s leave has not been extended by virtue of section 3C of the Immigration Act 1971 (continuation of leave pending variation decision), and
 - (c) apart from subsection (2), the period for which the licence would have been in force would have ended after the end of the leave period.
- (2) The Council must specify a period in the licence as the period for which it remains in force; and that period must end at or before the end of the leave period.
- (3) Subsection (4) applies if—
 - (a) a licence within section 11(1)(a) or (b) is to be granted to a person who has been granted leave to enter or remain in the United Kingdom for a limited period, and
 - (b) the person’s leave has been extended by virtue of section 3C of the Immigration Act 1971 (continuation of leave pending variation decision).
- (4) The Council must specify a period in the licence as the period for which it remains in force; and that period must not exceed six months.
- (5) A licence within section 11(1)(a) ceases to be in force if the person to whom it was granted becomes disqualified by reason of the person’s immigration status from driving a private hire vehicle.
- (6) A licence within section 11(1)(b) ceases to be in force if the person to whom it was granted becomes disqualified by reason of the person’s immigration status from driving a hackney carriage.
- (7) If a licence granted in accordance with subsection (2) or (4) expires, the person to whom it was granted must, within the period of 7 days beginning

Status: This is the original version (as it was originally enacted).

with the day after that on which it expired, return the licence and the person's driver's badge to the Council.

- (8) If subsection (5) or (6) applies to a licence, the person to whom it was granted must, within the period of 7 days beginning with the day after the day on which the person first became disqualified, return the licence and the person's driver's badge to the Council.
- (9) A person who, without reasonable excuse, contravenes subsection (7) or (8) is guilty of an offence and liable on summary conviction—
- (a) to a fine not exceeding level 3 on the standard scale, and
 - (b) in the case of a continuing offence, to a fine not exceeding ten pounds for each day during which an offence continues after conviction.
- (10) The Secretary of State may by regulations made by statutory instrument amend the amount for the time being specified in subsection (9)(b).
- (11) Regulations under subsection (10) may make transitional, transitory or saving provision.
- (12) A statutory instrument containing regulations under subsection (10) may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament.”