



London Hackney Carriages Act 1843

1843 CHAPTER 86 6 and 7 Vict

^{F1}

Textual Amendments

F1 S. 1 repealed by [Statute Law Revision \(No. 2\) Act 1874 \(c. 96\)](#)

2 Interpretation of terms.

^{F2} . . . the word “proprietor” shall include every person who, either alone or in partnership with any other person, shall keep any hackney carriage^{F3} . . . , or who shall be concerned otherwise than as a driver or attendant in employing for hire any hackney carriage^{F2}

Textual Amendments

F2 S. 2, except the definition of “proprietor”, repealed by [Statute Law \(Repeals\) Act 1989 \(c. 43\), s. 1\(1\), Sch. 1 Pt. X](#)

F3 Words repealed by [Statute Law Repeals Act 1976 \(c. 16\), Sch. 1 Pt XVII](#)

3 Provisions of 1 & 2 Will. 4 c. 22 extended to this Act.

So much of the^{M1} London Hackney Carriage Act, 1831, as relates to hackney carriages^{F4} . . . , and not hereby repealed,^{F4} . . . , shall extend and apply to hackney carriages^{F4} . . . within the meaning of this Act^{F4}

Textual Amendments

F4 Words repealed by [Statute Law Revision \(No.2\) Act 1874 \(c. 96\)](#)

Changes to legislation: London Hackney Carriages Act 1843 is up to date with all changes known to be in force on or before 29 April 2023. 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

Marginal Citations

M1 1831 c. 22.(107:1).

F54

Textual Amendments

F5 S. 4 repealed by Statute Law (Repeals) Act 1973 (c. 39), Sch. 1 Pt. VI

F65, 6.

Textual Amendments

F6 Ss. 5, 6 repealed by Statute Law Revision (No. 2) Act 1874 (c. 96)

F77

Textual Amendments

F7 Ss. 7, 15 repealed by Statute Law (Repeals) Act 1976 (c. 16), Sch. 1 Pt. XVII

8 Registrar to grant licences. At the time of granting any licence an abstract of the laws and a ticket to be given.

It shall be lawful for [^{F8}Transport for London] to grant a licence to act as driver of hackney carriages, ^{F9} . . . to any person who shall produce such a certificate as shall satisfy [^{F8}Transport for London] of his good behaviour and fitness for such situation ^{F10} . . . ; and in every such licence shall be specified the number of such licence, and the proper name and surname and place of abode, and age, and a description of the person to whom such licence shall be granted ^{F11} . . . ; and every such licence shall bear date on the day on which the same shall be granted, ^{F11} . . . and on every licence of a driver ^{F10} . . . [^{F8}Transport for London] shall cause proper columns to be prepared, in which every proprietor employing the driver ^{F10} . . . named in such licence shall enter his own name and address, and the days on which such driver ^{F10} . . . shall enter and shall quit his service respectively; and in case any of the particulars entered or endorsed upon any licence in pursuance of this Act shall be erased or defaced every such licence shall be wholly void and of none effect; and [^{F8}Transport for London] shall, at the time of granting any licence, deliver to the driver, ^{F10} . . . , or waterman, to whom the same shall be granted an abstract of the laws in force relating to such driver, ^{F10} . . . , or waterman and of the penalties to which he is liable for any misconduct, and also a [^{F12}badge], upon which there shall be marked ^{F13} . . . his office or employment, and a number corresponding with the number which shall be inserted in such licence.

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Textual Amendments

- F8** Words in s. 8 substituted (3.7.2000) by 1999 c. 29, s. 253, **Sch. 20 Pt. I para. 1(2)(3)** (with Sch. 12 para. 9(1)); S.I. 2000/801, art. 2(2)(c), **Sch.**
- F9** Words repealed by **Statute Law Revision (No. 2) Act 1874 (c. 96)** and **Statute Law (Repeals) Act 1976 (c. 16)**, **Sch. 1 Pt. XVII**
- F10** Words repealed by **Statute Law Repeals Act 1976 (c. 16)**, **Sch. 1 Pt XVII**
- F11** Words repealed by **Statute Law Revision (No.2) Act 1874 (c. 96)**
- F12** Word in s. 8 substituted (22.7.2008) by **Transport for London Act 2008 (c. i)**, ss. 1(1), **11(1)(a)**
- F13** Words in s. 8 omitted (22.7.2008) by virtue of **Transport for London Act 2008 (c. i)**, ss. 1(1), **11(1)(b)**

Modifications etc. (not altering text)

- C1** S. 8 repealed so far as it relates to a waterman by **Statute Law Revision (No. 2) Act 1874 (c. 96)**

F14⁹

Textual Amendments

- F14** Ss. 9, 11–13 repealed by **Statute Law Revision (No. 2) Act 1874 (c. 96)**

10 ^{X1}†**Penalty on persons acting as drivers, &c. without licences and [^{F15}badges], 5*l.*; on proprietors suffering drivers or conductors so to do, 10*l.* Employment of unlicensed drivers, &c. in case of necessity.**

^{F16} . . . every person to whom a licence and [^{F15}badge] shall have been granted who shall, except in compliance with the provisions of this Act, transfer or lend such licence, or permit any other person to use or wear such [^{F15}badge], shall for every such offence forfeit the sum of five pounds; and every proprietor who shall knowingly suffer any person not duly licensed under the authority of this Act to act as driver of any hackney carriage, ^{F16} . . . , of which he shall be the proprietor, shall for every such offence forfeit the sum of ten pounds: ^{F17} . . .

Editorial Information

- X1** Unreliable marginal note.

Textual Amendments

- F15** Word in s. 10 substituted (22.7.2008) by **Transport for London Act 2008 (c. i)**, ss. 1(1), **11(2)**
- F16** Words repealed by **Statute Law Repeals Act 1976 (c. 16)**, **Sch. 1 Pt XVII**
- F17** Words in s. 10 repealed (5.11.1993) by 1993 c. 50, s. 1(1), **Sch. 1 Pt. XV** Group2

Modifications etc. (not altering text)

- C2** S. 10 amended as to maximum amounts of fines on summary conviction by **Criminal Justice Act 1967 (c. 80, SIF 39:1)**, **Sch. 3 Pt. I** and **Criminal Justice Act 1982 (c. 48, SIF 39:1)**, ss. **35**, 38, 46

F18¹¹–

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Textual Amendments
F18 Ss. 9, 11–13 repealed by Statute Law Revision (No. 2) Act 1874 (c. 96)

14 Persons applying for licences to sign a requisition for the same, &c.

Before any such licence as aforesaid shall be granted a requisition for the same, in such form as [^{F19}Transport for London] shall from time to time appoint for that purpose, and accompanied with such certificate as herein-before is required, shall be made and signed by the person by whom such licence shall be required; and in every such requisition all such particulars as [^{F19}Transport for London] shall require shall be truly set forth; and every person applying for or attempting to procure any such licence who shall make or cause to be made any false representation in regard to any of the said particulars, ^{F20} . . . , or who shall not truly answer all questions which shall be demanded of him in relation to such application for a licence, and also every person to whom reference shall be made who shall, in regard to such application, wilfully and knowingly make any misrepresentation, shall forfeit for every such offence the sum of [^{F21}level 3 on the standard scale]; and it shall be lawful for [^{F19}Transport for London] to proceed for recovering of such penalty before any magistrate at any time within one calendar month after the commission of the offence, or during the currency of the licence so improperly obtained.

Textual Amendments
F19 Words in s. 14 substituted (3.7.2000) by 1999 c. 29, s. 253, **Sch. 20 Pt. I para. 1(2)(3)** (with Sch. 12 para. 9(1)); S.I. 2000/801, art. 2(2)(c), **Sch.**
F20 Words repealed by Forgery and Counterfeiting Act 1981 (c. 45, SIF 39:37), **Sch. Pt. I**
F21 Words substituted by virtue of Criminal Justice Act 1967 (c. 80, SIF 39:1), **Sch. 3 Pt. I** and Criminal Justice Act 1982 (c. 48, SIF 39:1), **ss. 38, 46**

^{F22}**15**

Textual Amendments
F22 Ss. 7, 15 repealed by Statute Law (Repeals) Act 1976 (c. 16), **Sch. 1 Pt. XVII**

16 Particulars of licences to be entered in a book at the registrar’s office.

[^{F23}(1)] The particulars of every licence which shall be granted as aforesaid shall be entered in books to be kept for that purpose at the office of [^{F24}Transport for London]; and in all courts, and before any justice of the peace, and upon all occasions whatsoever, a copy of an entry made in any such book, and certified by the person having the charge thereof to be a true copy, shall be received as evidence, and be deemed sufficient proof of all things therein registered, without requiring the production of the said book, or of any licence, or of any requisition or other document upon which any such entry may be founded; and [^{F25}, subject to subsection (2),] every person applying at all reasonable times shall be furnished with a certified copy of the particulars respecting any licensed person, without payment of any fee.

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[^{F26}(2) Transport for London may disclose the address of a licensed person to any person only if it appears to Transport for London that the person has a sufficient reason for requiring that information.]

Textual Amendments

- F23** S. 16 renumbered as s. 16(1) (22.7.2008) by [Transport for London Act 2008 \(c. i\)](#), ss. 1(1), **12(2)**
- F24** Words in s. 16 substituted (3.7.2000) by 1999 c. 29, s. 253, **Sch. 20 Pt. I para. 1(2)(3)** (with Sch. 12 para. 9(1)); [S.I. 2000/801](#), art. 2(2)(c), **Sch.**
- F25** Words in s. 16(1) inserted (22.7.2008) by [Transport for London Act 2008 \(c. i\)](#), ss. 1(1), **12(3)**
- F26** S. 16(2) inserted (22.7.2008) by [Transport for London Act 2008 \(c. i\)](#), ss. 1(1), **12(4)**

17 Tickets to be worn by drivers.

Every licensed driver, ^{F27}. . . and waterman shall at all times during his employment, and when he shall be required to attend before any justice of the peace, wear his [^{F28}badge] conspicuously upon his breast, in such manner that the whole of the writing thereon shall be distinctly legible; and every driver, ^{F27}. . . or waterman who shall act as such, or who shall attend when required before any justice of the peace, without wearing such [^{F28}badge] in manner aforesaid, or who, when thereunto required, shall refuse to produce such [^{F28}badge] for inspection, or to permit any person to note the writing thereon, shall for every such offence forfeit the sum of [^{F29}level 1 on the standard scale].

Textual Amendments

- F27** Words repealed by [Statute Law Repeals Act 1976 \(c. 16\)](#), **Sch. 1 Pt XVII**
- F28** Word in s. 17 substituted (22.7.2008) by [Transport for London Act 2008 \(c. i\)](#), ss. 1(1), **11(2)**
- F29** Words substituted by virtue of [Criminal Justice Act 1967 \(c. 80, SIF 39:1\)](#), **Sch. 3 Pt. I** and [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), **ss. 38, 46**

Modifications etc. (not altering text)

- C3** S. 17 repealed so far as it relates to a waterman by [Statute Law Revision \(No. 2\) Act 1874 \(c. 96\)](#)

18 Licences and tickets to be delivered up on the discontinuance of licences.

[^{F30}(1)] Upon the expiration of any licence granted under this Act the person to whom such licence shall have been granted shall deliver such licence and the [^{F31}badge] relating thereto to [^{F32}Transport for London]; and every such person who, after the expiration of such licence, shall wilfully neglect for three days to deliver the same to [^{F32}Transport for London], and also every person who shall use or wear or detain any [^{F31}badge] without having a licence in force relating to such [^{F31}badge], or who shall for the purpose of deception use or wear or have any [^{F31}badge] resembling or intended to resemble any [^{F31}badge] granted under the authority of this Act, shall for every such offence forfeit the sum [^{F33}level 1 on the standard scale]; and it shall be lawful for [^{F32}Transport for London], or for any person employed by [^{F32}Transport for London] for that purpose, to prosecute any person so neglecting to deliver up his licence or [^{F31}badge], at any period within twelve calendar months after the expiration of the licence; and it shall be lawful for any constable ^{F34}. . . or any person employed for that purpose by [^{F32}Transport for London], to seize and take away any such [^{F31}badge],

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wheresoever the same may be found, in order to deliver the same to ^[F32]Transport for London].

^[F35](2) Subsection (1) does not require the delivery of a licence and badge on the expiry of the licence if the licence was granted in accordance with section 8A(2) or (4) of the Metropolitan Public Carriage Act 1869 (but see section 8A(6) of that Act).]

Textual Amendments

- F30** S. 18(1) renumbered (1.12.2016) by Immigration Act 2016 (c. 19), s. 94(1), **Sch. 5 para. 1(2)**; S.I. 2016/1037, reg. 5(i)
- F31** Word in s. 18 substituted (22.7.2008) by Transport for London Act 2008 (c. i), ss. 1(1), **11(2)**
- F32** Words in s. 18 substituted (3.7.2000) by 1999 c. 29, s. 253, **Sch. 20 Pt. I para. 1(2)(3)(4)** (with Sch. 12 para. 9(1)); S.I. 2000/801, art. 2(2)(c), **Sch.**
- F33** Words substituted by virtue of Criminal Law Act 1977 (c. 45, SIF 39:1), s. **31(5)–(9)** and Criminal Justice Act 1982 (c. 48, SIF 39:1), s. **46**
- F34** Words in s. 18 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), s. 1(1), **Sch. 1 Pt. 14**
- F35** S. 18(2) inserted (1.12.2016) by Immigration Act 2016 (c. 19), s. 94(1), **Sch. 5 para. 1(3)**; S.I. 2016/1037, reg. 5(i)

19 New tickets to be delivered instead of defaced or lost tickets.

Whenever the writing on any ^[F36]badge] shall become obliterated or defaced, so that the same shall not be distinctly legible, and also whenever any ^[F36]badge] shall be proved to the satisfaction of ^[F37]Transport for London] to have been lost or mislaid, the person to whom the licence relating to any such ^[F36]badge] shall have been granted shall deliver such ^[F36]badge] (if he shall have the same in his possession) and shall produce such licence to ^[F37]Transport for London], and such person shall then be entitled to have a new ^[F36]badge] delivered to him, upon payment, ^[F38]to Transport for London], of such sum of money ^[F39]as Transport for London shall consider reasonable]: Provided always, that if any ^[F36]badge] which shall have been proved as aforesaid or represented to have been lost or mislaid shall afterwards be found the same shall forthwith be delivered to ^[F37]Transport for London]; and every person into whose possession any such ^[F36]badge] as last aforesaid shall be or come who shall refuse or neglect for three days to deliver the same to ^[F37]Transport for London], and also every person licensed under the authority of this Act who shall use or wear the ^[F36]badge] granted to him after the writing thereon shall be obliterated, defaced, or obscured, so that the same shall not be distinctly legible, shall for every such offence forfeit the sum of ^[F40]level 1 on the standard scale].

Textual Amendments

- F36** Word in s. 19 substituted (22.7.2008) by Transport for London Act 2008 (c. i), ss. 1(1), **11(2)**
- F37** Words in s. 19 substituted (3.7.2000) by 1999 c. 29, s. 253, **Sch. 20 Pt. I para. 1(2)(3)** (with Sch. 12 para. 9(1)); S.I. 2000/801, art. 2(2)(c), **Sch.**
- F38** Words in s. 19 substituted (3.7.2000) by 1999 c. 29, s. 253, **Sch. 20 Pt. I para. 1(5)** (with Sch. 12 para. 9(1)); S.I. 2000/801, art. 2(2)(c), **Sch.**
- F39** Words in s. 19 substituted (22.7.2008) by Transport for London Act 2008 (c. i), ss. 1(1), **13**
- F40** Words substituted by virtue of Criminal Law Act 1977 (c. 45, SIF 39:1), s. **31(5)–(9)** and Criminal Justice Act 1982 (c. 48, SIF 39:1), s. **46**

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F41 20 Forgery of licence or ticket, or knowingly uttering a forged licence or ticket, a misdemeanor.

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Textual Amendments

F41 S. 20 repealed by [Forgery and Counterfeiting Act 1981 \(c. 45, SIF 39:7\)](#), **Sch. Pt. I**

21 ^{X2†}Proprietor to retain the licence of drivers or conductors employed by him, and produce them in case of complaint.

Every proprietor of a hackney carriage ^{F42} . . . who shall permit or employ any licensed person to act as the driver ^{F42} . . . thereof shall require to be delivered to him, and shall retain in his possession, the licence of such driver or ^{F42} . . . while such driver or ^{F42} . . . shall remain in his service; and in all cases of complaint where the proprietor of a hackney carriage ^{F42} . . . shall be summoned to produce the driver ^{F42} . . . of such carriage before a justice of the peace he shall also produce the licence of such driver ^{F42} . . . if at the time of receiving the summons such driver ^{F42} . . . shall be in his service; and if any driver ^{F42} . . . complained of shall be adjudged guilty of the offence alleged against him the justice of the peace before whom he shall be convicted shall in every case endorse upon the licence of such driver ^{F42} . . . the nature of the offence, and the amount of the penalty inflicted; and every proprietor who shall neglect to require to be delivered to him, and to retain in his possession, the licence of any driver ^{F42} . . . during such period as such driver ^{F42} . . . shall remain in his service, or who shall refuse or neglect to produce such licence as aforesaid, shall for every such offence forfeit the sum of [^{F43}level 1 on the standard scale].

Editorial Information

X2 Unreliable marginal note.

Textual Amendments

F42 Words repealed by [Statute Law Repeals Act 1976 \(c. 16\)](#), **Sch. 1 Pt XVII**

F43 Words substituted by virtue of [Criminal Law Act 1977 \(c. 45, SIF 39:1\)](#), **s. 31(5)–(9)** and [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), **s. 46**

F44 22

Textual Amendments

F44 S. 22 repealed (5.11.1993) by [1993 c. 50, s. 1\(1\)](#), **Sch. 1 Pt. XV** Group2

F45 23

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Textual Amendments

F45 S. 23 repealed (5.11.1993) by 1993 c. 50, s. 1(1), **Sch. 1 Pt. XV** Group 2

24 Proceedings with respect to licences on quitting service.

[^{F46}(1)] When any licensed driver ^{F47} . . . shall leave the service of any proprietor such proprietor shall, upon demand thereof, return to him his licence: Provided always, that if the said proprietor shall have any complaint against the said driver ^{F47} . . . it shall be lawful for such proprietor to retain the licence for [^{F48}a time which, excluding any day mentioned in subsection (2), does not exceed] twenty-four hours after the demand thereof, and within that time to apply to [^{F49}a magistrates' court]^{F50} . . . for a summons against him; and the said proprietor, [^{F51}when applying] for the summons, shall deposit the licence with the [^{F52}designated officer for the]^{F53} magistrates' court]. . .; and in case any proprietor who upon demand thereof shall have refused or neglected to deliver to any driver ^{F47} . . . his licence shall not within [^{F54}that time] apply for such summons, and deposit the licence as aforesaid, or shall not appear to prosecute his complaint at the time mentioned in the summons, it shall be lawful for such driver ^{F47} . . . to apply [^{F55}to a magistrates' court]^{F50} . . . for a summons against such proprietor; and upon hearing and deciding the case the justice, if he shall think there was no just cause for detaining the licence, or that there has been needless delay on the part of the proprietor in bringing the matter to a hearing, shall have power to order the said proprietor to pay such compensation to the said driver ^{F47} . . . as the said justice shall think reasonable; ^{F47} . . . and the justice shall cause the licence to be delivered to the said driver ^{F47} . . ., unless any misconduct shall be proved against him, by reason whereof the justice shall think that such licence should be revoked or suspended; and so long as any proprietor shall neglect to apply for such summons and deposit the licence, after demand thereof, any justice of the peace may in like manner from time to time order compensation to be paid by him to the same driver ^{F47} . . .; and no proprietor shall, under any pretext or by virtue of any claim whatever, retain beyond the time aforesaid the licence of his driver ^{F47} . . .

[^{F56}(2) The days are—

- (a) Saturday or Sunday;
- (b) Christmas Day or Good Friday;
- (c) a day which is a bank holiday in England and Wales under the Banking and Financial Dealings Act 1971.]

Textual Amendments

F46 S. 24 renumbered (1.4.2005) as s. 24(1) by Courts Act 2003 (c. 39), ss. 109(1), 110, **Sch. 8 para. 14(2)**; S.I. 2005/910, **art. 3(y)**

F47 Words repealed by Statute Law Repeals Act 1976 (c. 16), **Sch. 1 Pt XVII**

F48 Words in s. 24(1) substituted (1.4.2005) by Courts Act 2003 (c. 39), ss. 109(1), 110, **Sch. 8 para. 14(3)(a)**; S.I. 2005/910, **art. 3(y)**

F49 Words in s. 24(1) substituted (1.4.2005) by Courts Act 2003 (c. 39), ss. 109(1), 110, **Sch. 8 para. 14(3)(b)**; S.I. 2005/910, **art. 3(y)**

F50 Words in s. 24 repealed (27.9.1999) by 1999 c. 22, s. 106, **Sch. 15 Pt. V(1)**(with Sch. 14 paras. 7(2), 36(9))

F51 Words in s. 24(1) substituted (1.4.2005) by Courts Act 2003 (c. 39), ss. 109(1), 110, **Sch. 8 para. 14(3)(c)**; S.I. 2005/910, **art. 3(y)**

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- F52** Words in s. 24(1) substituted (1.4.2005) by Courts Act 2003 (c. 39), ss. 109(1), 110, **Sch. 8 para. 14(3)(d)**; S.I. 2005/910, **art. 3(y)**
- F53** Words in s. 24 substituted (31.8.2000) by 1999 c. 22, s. 78, **Sch. 11 para. 6(a)(b)** (with Sch. 14 para. 7(2)); S.I. 2000/1920, **art. 3(a)**
- F54** Words in s. 24(1) substituted (1.4.2005) by Courts Act 2003 (c. 39), ss. 109(1), 110, **Sch. 8 para. 14(3)(e)**; S.I. 2005/910, **art. 3(y)**
- F55** Words in s. 24(1) substituted (1.4.2005) by Courts Act 2003 (c. 39), ss. 109(1), 110, **Sch. 8 para. 14(3)(f)**; S.I. 2005/910, **art. 3(y)**
- F56** S. 24(2) inserted (1.4.2005) by Courts Act 2003 (c. 39), ss. 109(1), 110, **Sch. 8 para. 14(4)**; S.I. 2005/910, **art. 3(y)**

25 Licences may be revoked or suspended.

It shall be lawful for any justice of the peace before whom any driver,^{F57} . . . , or waterman shall be convicted of any offence, whether under this Act or any other Act, if such justice in his discretion shall think fit, to revoke the licence of such driver,^{F57} . . . or waterman, and also any other licence which he shall hold under the provisions of this Act, or to suspend the same for such time as the justice shall think proper, and for that purpose to require the proprietor, driver,^{F57} . . . , or waterman in whose possession such licence and the [^{F58}badge] thereunto belonging shall then be to deliver up the same; and every proprietor, driver,^{F57} . . . , or waterman who, being so required, shall refuse or neglect to deliver up such licence and any such [^{F58}badge], or either of them, shall forfeit, so often as he shall be so required and refuse or neglect as aforesaid, the sum of [^{F59}level 1 on the standard scale]; and the justice shall forthwith send such licence and [^{F58}badge] to [^{F60}Transport for London], who shall cancel such licence if it has been revoked by the justice, or, if it has been suspended, shall, at the end of the time for which it shall have been suspended, re-deliver such licence, with the [^{F58}badge], to the person to whom it was granted.

[^{F61}A magistrates' court that makes an order revoking or suspending any licence under this section may, if the court thinks fit, suspend the effect of the order pending an appeal against the order.]

Textual Amendments

- F57** Words repealed by Statute Law Repeals Act 1976 (c. 16), **Sch. 1 Pt XVII**
- F58** Word in s. 25 substituted (22.7.2008) by Transport for London Act 2008 (c. i), ss. 1(1), **11(2)**
- F59** Words substituted by virtue of Criminal Law Act 1977 (c. 45, SIF 39:1), **s. 31(5)–(9)** and Criminal Justice Act 1982 (c. 48, SIF 39:1), **s. 46**
- F60** Words in s. 25 substituted (3.7.2000) by 1999 c. 29, s. 253, **Sch. 20 Pt. I para. 1(2)(3)** (with Sch. 12 para. 9(1)); S.I. 2000/801, art. 2(2)(c), **Sch.**
- F61** Words added by Transport Act 1985 (c. 67, SIF 126), s. 139(2), **Sch. 7 para. 2**

Modifications etc. (not altering text)

- C4** S. 25 repealed so far as it relates to a waterman by Statute Law Revision (No. 2) Act 1874 (c. 96)

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Textual Amendments

F62 S. 26 repealed by [Revenue Act 1869 \(c. 14\)](#), [Sch. \(E.\)](#)

27 No person to act as driver of any carriage without the consent of the proprietor.

Every driver ^{F63} . . . authorized by any proprietor to act as driver of any hackney carriage, ^{F63} . . . , who shall suffer any other person to act as driver of such hackney carriage, ^{F63} . . . , without the consent of the proprietor thereof, and also every person, whether duly licensed or not, who shall act as driver ^{F63} . . . of any such carriage without the consent of the proprietor thereof, shall forfeit the sum of [^{F64}level 1 on the standard scale]; and every driver ^{F63} . . . charged with such offence who, when required by a justice of the peace so to do, shall not truly make known the name and place of abode of the person so suffered by him to act as driver ^{F63} . . . without consent of the proprietor, and also the number of the [^{F65}badge] of such person (if licensed), shall be liable to a further penalty of [^{F64}level 1 on the standard scale]; and it shall be lawful for any police constable, [^{F66}if necessary, to take charge of the carriage and every horse in charge of any person unlawfully acting as a driver and to deposit the same in some place of safe custody until the same can be applied for by the proprietor.]

Textual Amendments

F63 Words repealed by [Statute Law Repeals Act 1976 \(c. 16\)](#), [Sch. 1 Pt XVII](#)

F64 Words substituted by virtue of [Criminal Law Act 1977 \(c. 45, SIF 39:1\)](#), [s. 31\(5\)–\(9\)](#) and [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), [s. 46](#)

F65 Word in [s. 27](#) substituted (22.7.2008) by [Transport for London Act 2008 \(c. i\)](#), [ss. 1\(1\)](#), [11\(2\)](#)

F66 Words substituted by [Police and Criminal Evidence Act 1984 \(c. 60, SIF 95\)](#), [s. 121\(1\)](#), [Sch. 6 para. 4](#)

28 Punishment for furious driving, and wilful misbehaviour.

Every driver of a hackney carriage, ^{F67} . . . , who shall be guilty of wanton or furious driving, or who by carelessness or wilful misbehaviour shall cause any hurt or damage to any person or property being in any street or highway, and also every driver, ^{F67} . . . , or waterman who during his employment shall be drunk, or shall make use of any insulting or abusive language, or shall be guilty of any insulting gesture or any misbehaviour, shall for every such offence forfeit the sum of [^{F68}level 1 on the standard scale]; or it shall be lawful for the justice before whom such complaint shall be brought, if in his discretion he shall think proper, instead of inflicting such penalty, forthwith to commit the offender to prison for any period not exceeding two calendar months, ^{F67} . . . ; ^{F69} . . .

Textual Amendments

F67 Words repealed by [Statute Law Repeals Act 1976 \(c. 16\)](#), [Sch. 1 Pt XVII](#)

F68 Words substituted by virtue of [Criminal Law Act 1977 \(c. 45, SIF 39:1\)](#), [s. 31\(5\)–\(9\)](#) and [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), [s. 46](#)

F69 Words in [s. 28](#) repealed (5.11.1993) by [1993 c. 50, s. 1\(1\)](#), [Sch. 1 Pt. XV Group 2](#)

Modifications etc. (not altering text)

C5 [S. 28](#) repealed so far as it relates to a waterman by [Statute Law Revision \(No. 2\) Act 1874 \(c. 96\)](#)

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F70 29

Textual Amendments

F70 S. 29 repealed by London Government Act 1963 (c. 33), **Sch. 18 Pt. II**

F71 30

Textual Amendments

F71 S. 30 repealed by Statute Law (Repeals) Act 1976 (c. 16), **Sch. 1 Pt. XVII**

F72 31

Textual Amendments

F72 S. 31 repealed by Statute Law Revision Act 1966 (c. 5)

F73 32

Textual Amendments

F73 S. 32 repealed by Statute Law (Repeals) Act 1973 (c. 39), **Sch. 1 Pt. VI**

33 ^{X3}† **Penalty on drivers of hackney carriages, or drivers or conductors of metropolitan stage carriages, for loitering or causing any obstruction, or plying for hire by making any noise, &c.**

Every driver of a hackney carriage who shall ply for hire elsewhere than at some standing or place appointed for that purpose, or who by loitering or by any wilful misbehaviour shall cause any obstruction in or upon any public street, road, or place, ^{F74} . . . , and every driver of a hackney carriage, whether hired or unhired, allowing any person beside himself, not being the hirer or a person employed by such hirer, to ride on the driving box, ^{F74} . . . , shall for every such offence forfeit the sum of [^{F75}level 1 on the standard scale].

Editorial Information

X3 Unreliable marginal note.

Textual Amendments

F74 Words repealed by Statute Law Repeals Act 1976 (c. 16), **Sch. 1 Pt XVII**

F75 Words substituted by virtue of Criminal Justice Act 1967 (c. 80, SIF 39:1), **Sch. 3 Pt. I** and Criminal Justice Act 1982 (c. 48, SIF 39:1), **ss. 38, 46**

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Modifications etc. (not altering text)

C6 S. 33 modified by S.I. 1987/1387 art. 4(2)

^{F76}34

Textual Amendments

F76 Ss. 34, 48 repealed by Statute Law Revision (No. 2) Act 1874 (c. 96)

^{F77}35

Textual Amendments

F77 S. 35 repealed (5.11.1993) by 1993 c. 50, s. 1(1), Sch. 1 Pt. XV Group 2

^{F78}36,
37.

Textual Amendments

F78 Ss. 36, 37, 40–43, 45, 46, Sch. repealed by Statute Law (Repeals) Act 1976 (c. 16), Sch. 1 Pt. XVII

38 Complaints to be made within [^{F79}twenty eight] days.

All complaints under the provisions of the London Hackney Carriage Act, 1831, or of this Act, or of the orders and regulations made in pursuance of either of them,^{F80} . . . , shall be made within [^{F79}twenty eight] days next after the day on which the cause of complaint shall have arisen.

Textual Amendments

F79 Words in s. 38 substituted (22.7.2008) by Transport for London Act 2008 (c. i), ss. 1(1), 14

F80 Words repealed by Statute Law Repeals Act 1976 (c. 16), Sch. 1 Pt XVII

39 Justices may hear complaints and award penalties. In case of nonpayment the party may be imprisoned. Proviso.

It shall be lawful for any justice of the peace to hear and determine all complaints under the provisions of this Act or of the^{M2}London Hackney Carriage Act, 1831, and to adjudge the payment of any penalty or of any sum of money under either of the said Acts, or of the orders and regulations made pursuant to either of them, and to order payment of the same, with or without costs, either immediately, or at such time and place, and by such instalments, as he shall think fit;^{F81} . . .

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Textual Amendments

F81 Words repealed by [Statute Law Repeals Act 1976 \(c. 16\)](#), [Sch. 1 Pt XVII](#)

Marginal Citations

M2 [1831 c. 22.](#)

^{F82} **40**—
43

Textual Amendments

F82 [Ss. 36, 37, 40–43, 45, 46, Sch.](#) repealed by [Statute Law \(Repeals\) Act 1976 \(c. 16\)](#), [Sch. 1 Pt. XVII](#)

44 Providing for cases where there are more proprietors than one.

In every case where there shall be more than one proprietor of any hackney carriage ^{F83} . . . it shall be sufficient, in any information, summons, order, conviction, warrant, or any other proceeding under the provisions of this Act, or of the London Hackney Carriage Act, 1831, to name one of such proprietors without reference to any other or others of them, and to describe and proceed against him as if he were sole proprietor.

Textual Amendments

F83 Words repealed by [Statute Law Repeals Act 1976 \(c. 16\)](#), [Sch. 1 Pt XVII](#)

^{F84} **45**,
46.

Textual Amendments

F84 [Ss. 36, 37, 40–43, 45, 46, Sch.](#) repealed by [Statute Law \(Repeals\) Act 1976 \(c. 16\)](#), [Sch. 1 Pt. XVII](#)

47 Limitation of actions. Venue. Notice of action. Tender of of amends.

^{F85}

Textual Amendments

F85 [S. 47](#) repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\)](#), s. 1(1), [Sch. 1 Pt. 14](#)

^{F86} **48**

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Textual Amendments

F86 Ss. 34, 48 repealed by [Statute Law Revision \(No. 2\) Act 1874 \(c. 96\)](#)

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Changes and effects yet to be applied to :

- s. 28 words inserted by [2003 c. 44 Sch. 32 para. 147](#)
- s. 28 words repealed by [2003 c. 44 Sch. 37 Pt. 9](#)