
STATUTORY INSTRUMENTS

1986 No. 1387

PUBLIC PASSENGER VEHICLES

**The Licensed Taxis (Hiring At
Separate Fares) (London) Order 1986**

<i>Made</i>	- - - -	<i>6th August 1986</i>
<i>Laid before Parliament</i>		<i>13th August 1986</i>
<i>Coming into Operation</i>		<i>3rd September 1986</i>

The Secretary of State for Transport, in exercise of the powers conferred by section 13(1) of the Transport Act 1985, and of all other enabling powers, hereby makes the following Order:—

Citation and Commencement

1. This Order may be cited as the Licensed Taxis (Hiring at Separate Fares) (London) Order 1986 and shall come into operation on 3rd September 1986.

Interpretation

2. In this Order:—

“the 1985 Act” means the Transport Act 1985;

“authorised place” has the meaning given by section 10(5)(a) of the 1985 Act; and

“taxi” means a vehicle licensed under section 6 of the Metropolitan Public Carriage Act 1869(1).

Application

3. This Order applies in relation to a taxi:—

(1) standing at an authorised place and available for hire under a scheme for the immediate hiring of taxis at separate fares;

(2) hired under such a scheme at separate fares; or

(3) being used for the carriage of passengers at separate fares where the conditions in section 11(2) of the 1985 Act are met.

(1) section 6 was repealed in part by the Statute Law (Repeals) Act 1976 (c. 16), Schedule I, Part XVII, and amended by the Transport Act 1981 (c. 56), section 35(1) and Schedule 12, Part III.

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Modifications of the taxi code

4.—(1) Neither the provisions of the taxi code specified in the Table, nor any provision of that code in so far as it prohibits the driver from touting orally at an authorised place for passengers to share the taxi with a passenger who has already requested a service at separate fares, shall apply.

(2) For the purposes of section 33 of the London Hackney Carriage Act 1843(2), an authorised place shall be treated as a place appointed for the purpose of plying for hire.

TABLE

<i>Provisions</i>	<i>Subject matter of provisions</i>
London Hackney Carriage Act 1831(3)	
Section 35	Obligatory hirings
Section 50	Hirer's consent to other passengers
London Hackney Carriage Act 1853(4)	
Section 7	Obligatory journeys
Section 9	Number of persons to be carried at the instance of the hirer
Section 10	Carriage of luggage
Section 17(1) and (2)	Penalties
London Cab Order 1934(5)	
Article 34	Obligatory journeys
Articles 38–50	Fares

Signed by authority of the Secretary of State.

6th August 1986

David Mitchell
Minister of State for Transport

(2) section 33 was repealed in part by the Statute Law (Repeals) Act 1976, Schedule 1, Part XVII.
(3) section 22 was repealed in part by the Statute Law (Repeals) Act 1976, Schedule 1, Part XVII.
(4) sections 7, 10 and 17 were repealed in part by the Statute Law (Repeals) Act 1973 (c. 39), Schedule 1, Part VI; section 7 was varied by S.I. 1972/1047; and section 9 was repealed in part by the Statute Law Revision Act 1892 (c. 19), Schedule.
(5) the relevant amending instruments are S.I. 1955/1853, 1980/588, 1982/610, 1983/653, 1984/707, 1985/933, and 1986/857.

EXPLANATORY NOTE

Sections 10 and 11 of the Transport Act 1985 contain provisions for the hiring of taxis at separate fares. This Order modifies the taxi code (as defined in section 13(3) of the Act) in its application to taxis licensed under section 6 of the Metropolitan Public Carriage Act 1869 (London taxis) while being used subject to those sections. The modifications include the disapplication of the following provisions (article 4(1) and Table):

1. any provision in so far as it prohibits the driver from touting orally for passengers to share the taxi with a passenger who has requested a service at separate fares;
2. provisions regarding obligatory hirings (section 35 of the London Hackney Carriage Act 1831, sections 7 and 17(2) of the London Hackney Carriage Act 1853 and article 34 of the London Cab Order 1934);
3. provisions regarding the hirer's consent to passengers and the number of passengers (section 50 of the 1831 Act and sections 9 and 17(1) of the 1853 Act);
4. provisions regarding carriage of reasonable luggage (sections 10 and 17(1) of the 1853 Act); and
5. provisions regarding fares (articles 38–50 of the 1934 Order).