

Status: Point in time view as at 31/10/2014.

Changes to legislation: *Taxis Act (Northern Ireland) 2008 is up to date with all changes known to be in force on or before 27 January 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)*

SCHEDULES

SCHEDULE 1

Section 48.

ENTRIES TO BE INSERTED IN PART 1 OF SCHEDULE 1 TO THE ROAD TRAFFIC OFFENDERS (NORTHERN IRELAND) ORDER 1996 IN RESPECT OF OFFENCES UNDER THIS ACT

Commencement Information

- I1** Sch. 1 in operation at 1.9.2012 for specified purposes by S.R. 2012/313, art. 2(2), **Sch. Pt. 2**
- I2** Sch. 1 in operation at 31.10.2014 for specified purposes by S.R. 2014/238, art. 2(2), **Sch. Pt. 2**

(1) Provision creating offence	(2) General nature of offence	(3) Mode of Prosecution	(4) Punishment	(5) Disqualification	(6) Endorsement	(7) Penalty Points
<i>Offences under the Taxis Act (Northern Ireland) 2008</i>						
Section 1(3)	Operating a taxi service without an operator's licence	Summarily	Level 5 on the standard scale			
Section 3(5)	Knowingly keeping or making false records etc.	Summarily	Level 3 on the standard scale			
Section 3(10)	Operating a taxi service in respect of unlicensed taxi or in	Summarily	Level 5 on the standard scale			

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	respect of taxi driven by unlicensed driver		
Section 3(11)	Contravention of other operator's duties	Summarily	Level 3 on the standard scale
Section 4(2)	Sub- contracting work to a non- licensed operator	Summarily	Level 3 on the standard scale
Section 5(2)	Contravention of provisions of or made under Chapter 2	Summarily	Level 3 on the standard scale
Section 12(2) and (3)	Using, or permitting a taxi to be used, without a taxi licence	Summarily	Level 5 on the standard scale
Section 14(6)	Contravention of taxi owner's duties	Summarily	Level 3 on the standard scale
Section 15(3) and (4)	Contravention of requirement to exhibit taxi plates etc.	Summarily	Level 3 on the standard scale
Section 16(4)	Contravention of	Summarily	Level 3 on the

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	regulations relating to regulation of fares		standard scale	
Section 17(4)	Failure to display fares or contravention of regulations to secure publication of fares	Summarily	Level 3 on the standard scale	
Section 18(6)	Contravention of provisions relating to taximeters	Summarily	Level 3 on the standard scale	
Section 18(8)	Unlawful tampering with a taximeter	Summarily	Level 3 on the standard scale	
Section 19(2)	Carrying more than the prescribed number of passengers	Summarily	Level 3 on the standard scale	
Section 20(3)	Contravention of regulations concerning taxis or use of taxis	Summarily	Level 3 on the standard scale	
Section 22(2)	Driving a taxi without a taxi driver's licence	Summarily	Level 5 on the standard scale	Discretionary if committed by driving a taxi where no Obligatory if committed as described 3–6

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licence in column
authorising 5
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vehicle
could
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granted

Section 22(3)	Operating a taxi service driven by a taxi driver without a taxi driver's licence or owning a taxi being driven by a taxi driver without a taxi driver's licence	Summarily Level 5 on the standard scale
Section 22(5)	Driving a taxi without a taxi driver's licence for that class of taxi	Summarily Level 3 on the standard scale
Section 22(6)	Operating a taxi service driven by a taxi driver	Summarily Level 3 on the standard scale

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	without a taxi driver's licence for that class of taxi or owning a taxi driven by a taxi driver without a taxi driver's licence for that class of taxi	
Section 24(5)	Failure to wear a taxi driver's badge or display other identification	Summarily Level 3 on the standard scale
Section 31(5)	Failure to produce documents etc.	Summarily Level 3 on the standard scale
Section 32(6)	Failure to comply with requirement or direction to return licence, plate, etc. or badge	Summarily Level 3 on the standard scale

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Section 37(3) Failure to comply with an enforcement notice Summarily Level 3 on the standard scale

Section 39(3) Failure to make alternative arrangements for conveyance of passengers Summarily Level 3 on the standard scale

Section 43(1) Soliciting any person to be carried in a taxi Summarily Level 3 on the standard scale

Section 44(1) Knowingly etc. to make false statement or furnish false information Summarily Level 5 on the standard scale

Section 44(2) Forging, possessing, documents, etc. with intent to deceive Summarily Level 5 on the standard scale

Section 45(1) Obstruction of constable or authorised officer Summarily Level 3 on the standard scale

Section 45(2) Failure to comply with Summarily Level 3 on the

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	requirement of constable or authorised officer or failure to give a constable or authorised officer assistance or information	standard scale
Section 45(3)	Knowingly Summarily to make a false statement to authorised officer or constable	Level 5 on the standard scale

SCHEDULE 2

Section 58(1).

MINOR AND CONSEQUENTIAL AMENDMENTS

The Road Traffic (Northern Ireland) Order 1981 (NI 1)

- 1 In Article 2(2) (interpretation), in the definition of “the Road Traffic Orders”—
 - (a) omit “and”; and
 - (b) after “2007” add “ and the Taxis Act (Northern Ireland) 2008 ”.

VALID FROM 31/05/2016

- 2 In Article 66A(1) (car-sharing arrangements), after “public service vehicle” insert “ or taxi (within the meaning of the Taxis Act (Northern Ireland) 2008) ”.

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VALID FROM 31/05/2016

The Disability Discrimination Act 1995 (c. 50)

PROSPECTIVE

3 In section 32(5) (taxi accessibility regulations), for the definition of “taxi” substitute—

““taxi” means a taxi within the meaning of the Taxis Act (Northern Ireland) 2008 which is licensed under section 13 of that Act for use in standing or plying for hire or reward or to carry passengers for hire or reward.”.

PROSPECTIVE

4 In section 34 (new licences conditional on compliance with accessibility taxi regulations)—

(a) for subsection (1) substitute—

“(1) The Department of the Environment shall not grant a taxi licence under section 13 of the Taxis Act (Northern Ireland) 2008 for a taxi unless the vehicle conforms with those provisions of the taxi accessibility regulations with which it will be required to conform if licensed.”;

(b) in subsection (2) after “such a licence” insert “ or a public service vehicle licence granted under Article 61 of the Road Traffic (Northern Ireland) Order 1981 ”.

5 In section 37A (carrying of assistance dogs in private hire vehicles)—

(a) for “private hire vehicle”, each place it occurs, substitute “ taxi ”;

(b) in subsection (9)—

(i) for the definition of “driver” substitute

““driver” means a person who holds a taxi driver's licence granted under—

(a) Article 79A of the Road Traffic (Northern Ireland) Order 1981; or

(b) section 23 of the Taxis Act (Northern Ireland) 2008;”;

(ii) after the definition of “assistance dog” insert—

““booking” means a taxi booking within the meaning given by section 57(1) of the Taxis Act (Northern Ireland) 2008;”;

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(iii) for the definition of “operator” substitute—

““operator” means a person who holds an operator's licence granted under section 2 of the Taxis Act (Northern Ireland) 2008;”.

The Road Traffic (Northern Ireland) Order 1995 (NI 18)

6 In Article 2(2) (general interpretation)—

(a) in the definition of “the Road Traffic Orders”—

(i) omit “and”; and

(ii) after “2007” add “ and the Taxis Act (Northern Ireland) 2008 ”;

(b) after the definition of “statutory provision”, insert—

““taxi” has the same meaning as in the Taxis Act (Northern Ireland) 2008;”.

Commencement Information

I3 Sch. 2 para. 6 partly in operation; Sch. 2 para. 6 not in operation at Royal Assent see s. 59; Sch. 2 para. 6(a) in operation at 23.11.2009 by S.R. 2009/352, art. 2, Sch.

PROSPECTIVE

7 In Article 17 (power to administer preliminary tests) in paragraph (8)(b)—

(a) at the end of sub-paragraph (iii) omit “or”; and

(b) at the end of sub-paragraph (iv) add “or

(v) any provision of the Taxis Act (Northern Ireland) 2008.”.

VALID FROM 31/05/2016

8 In Article 63(3) (obligatory test certificates), for sub-paragraph (b) substitute—

“(b) a taxi; or”.

VALID FROM 31/05/2016

9 In Article 76 (inspection of public passenger vehicles and goods vehicles) in paragraph (6), after sub-paragraph (a) insert—

“(aa) taxis;”.

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VALID FROM 31/05/2016

10 In Article 78(1) (prohibitions conditional on inspection, etc.), after “not so adapted” insert “ or is a taxi ”.

The Road Traffic Offenders (Northern Ireland) Order 1996 (NI 10)

11 In Article 2(2) (general interpretation), in the definition of “the Road Traffic Orders”—

- (a) omit “and”; and
- (b) after “2007” add “ and the Taxis Act (Northern Ireland) 2008 ”.

The Road Traffic Regulation (Northern Ireland) Order 1997 (NI 2)

12 In Article 2(2) (interpretation) in the definition of “the Road Traffic Orders”—

- (a) omit “and”; an
- (b) after “2007” add “ and the Taxis Act (Northern Ireland) 2008 ”.

The Traffic Management (Northern Ireland) Order 2005 (NI 14)

13 In Schedule 1 (contraventions subject to penalty charges)—

- (a) after the paragraph beginning “An offence under Article 19(1) or (3)” insert—
 - “An offence under Article 27A(2).”; and
- (b) for the paragraph beginning “An offence under any statutory provision” substitute—
 - “An offence under any statutory provision of contravening—
 - (a) a prohibition or restriction on the use of a stand or starting place for taxis or taxis of a particular description by a vehicle which is not a taxi or not a taxi of that description; or
 - (b) a prohibition or restriction on a taxi or a taxi of a particular description from standing or plying for hire or reward within a prescribed distance of a stand or starting place for taxis.

(For the purposes of this paragraph “taxi” has the meaning given by section 57(1) of the Taxis Act (Northern Ireland) 2008).”.

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Commencement Information

- I4** Sch. 2 para. 13 partly in operation; Sch. 2 para. 13 not in operation at Royal Assent see s. 59; Sch. 2 para. 13(a) in operation at 23.11.2009 by S.R. 2009/352, art. 2, Sch. (with art. 3)

SCHEDULE 3

Section 58(2).

REPEALS

Commencement Information

- I5** Sch. 3 in operation at 31.10.2014 for specified purposes by S.R. 2014/238, art. 2(2), Sch. Pt. 2

Short Title	Extent of repeal
The Road Traffic (Northern Ireland) Order 1981 (NI 1).	Article 79A.
The Road Traffic (Amendment) (Northern Ireland) Order 1991 (NI 3).	Article 6 In Schedule 3, Part 2.
The Disability Discrimination Act 1995 (c. 50).	In Schedule 8, paragraphs 16(2) and 21A(2).
The Road Traffic Offenders (Northern Ireland) Order 1996 (NI 10).	In Part 1 of Schedule 1, the entry relating to Article 79A of the 1981 Order.

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