



## 2008 CHAPTER 4

### PART 1

#### REGULATION OF TAXI OPERATORS

##### CHAPTER 1

##### GENERAL

#### **Operator's licences**

2.—(1) Any person may apply to the Department for an operator's licence.

(2) An application under this section shall state the address, which shall be in Northern Ireland, of any premises which the applicant proposes to use as an operating centre.

(3) An operator's licence may be granted in respect of the operation of such different types of taxi service as may be prescribed.

(4) The Department shall grant an operator's licence to the applicant if it is satisfied that—

(a) the applicant—

(i) is a fit and proper person to hold an operator's licence; and

(ii) meets any further requirements that may be prescribed;

[<sup>F1</sup>(aa) if the applicant is an individual, the applicant is not disqualified by reason of the applicant's immigration status from operating a taxi service; and]

(b) any further requirements that may be prescribed (which may include requirements relating to operating centres) are met.

[<sup>F2</sup>(4A) In determining for the purposes of subsection (4) whether an applicant is disqualified by reason of the applicant's immigration status from operating

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**Changes to legislation:** *Taxis Act (Northern Ireland) 2008, Section 2 is up to date with all changes known to be in force on or before 24 May 2024. 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*

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a taxi service, the Department must have regard to any guidance issued by the Secretary of State.]

(5) An operator's licence shall be granted subject to such conditions as may be prescribed and such other conditions as the Department may think fit (including, without prejudice to the generality of this subsection, conditions specifying the maximum number of taxis or the maximum or minimum number or percentage of taxis of different classes or different classes of use for or in respect of which a taxi operator may operate a taxi service at any one time).

(6) An operator's licence shall—

- (a) specify the address of any premises in Northern Ireland which the licensed operator may use as an operating centre;
- (b) be in such form and contain such particulars as the Department may think fit.

(7) [<sup>F3</sup>Subject to section 2A, an] operator's licence shall be granted for five years or such shorter period as may be prescribed or such shorter period as the Department may consider appropriate in the circumstances of the case.

(8) An applicant for an operator's licence may by notice appeal to the Department against—

- (a) a decision not to grant such a licence;
- (b) a decision not to specify an address proposed in the application as an operating centre;
- (c) a decision to grant such a licence in respect of the operation of a particular type of taxi service; or
- (d) any condition (other than a prescribed condition) to which the licence is subject.

(9) The time within which a person may bring such an appeal is 21 days from the date on which the notice of the decision appealed against is served on the person.

(10) On an appeal under subsection (8), the Department may decide to—

- (a) confirm, reverse or vary the decision; o
- (b) approve, revoke or vary the condition,

(as the case may be) as it thinks fit.

(11) The Department shall, on making a decision under subsection (10), give notice of the decision to the appellant including particulars of the grounds of the decision.

(12) A person who is aggrieved by a decision of the Department under subsection (10) may appeal to a court of summary jurisdiction against any such decision.

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### Textual Amendments

- F1** S. 2(4)(aa) substituted (1.12.2016) for word in s. 2(4)(a) by [Immigration Act 2016 \(c. 19\)](#), s. 94(1), **Sch. 5 para. 46(2)** (with [Sch. 5 para. 54](#)); [S.I. 2016/1037](#), reg. 5(i) (with reg. 6)
- F2** S. 2(4A) inserted (1.12.2016) by [Immigration Act 2016 \(c. 19\)](#), s. 94(1), **Sch. 5 para. 46(3)** (with [Sch. 5 para. 54](#)); [S.I. 2016/1037](#), reg. 5(i) (with reg. 6)
- F3** Words in s. 2(7) substituted (1.12.2016) by [Immigration Act 2016 \(c. 19\)](#), s. 94(1), **Sch. 5 para. 46(4)** (with [Sch. 5 para. 54](#)); [S.I. 2016/1037](#), reg. 5(i) (with reg. 6)

### Commencement Information

- I1** S. 2 in operation at 8.8.2012 for specified purposes by [S.R. 2012/313](#), art. 2(1), **Sch. Pt. 1**
- I2** S. 2 in operation at 1.9.2012 in so far as not already in operation by [S.R. 2012/313](#), art. 2(2), **Sch. Pt. 2**

**Changes to legislation:**

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**Changes and effects yet to be applied to :**

- specified provision(s) amendment to earlier commencing SR 2014/300 art. 2 Sch. Pt. 2 and 3 by [S.R. 2015/257 art. 2](#)