



## 2008 CHAPTER 4

### PART 3

#### REGULATION OF DRIVERS OF TAXIS

##### Taxi driver's licences

**23.**—(1) Any person may apply to the Department for a taxi driver's licence.

(2) The Department shall grant a taxi driver's licence to an applicant if it is satisfied that—

(a) the applicant—

(i) subject to subsection (4), is (and has been continuously for at least three years immediately before the date of the applicant's application, or in prescribed circumstances for such lesser period as may be prescribed) authorised to drive a motor car;

(ii) is a fit and proper person to hold a taxi driver's licence; and

(iii) meets any further requirements that may be prescribed (including, without prejudice to the generality of the foregoing, requirements relating to training);

[<sup>F1</sup>(aa) the applicant is not disqualified by reason of the applicant's immigration status from driving a taxi;]

(b) subject to subsection (4), the requirement mentioned in subsection (3) is met; and

(c) any further requirements that may be prescribed are met.

[<sup>F2</sup>(2A) In determining for the purposes of subsection (2) whether an applicant is disqualified by reason of the applicant's immigration status from driving a

---

*Changes to legislation: Taxis Act (Northern Ireland) 2008, Section 23 is up to date with all changes known to be in force on or before 13 February 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*

---

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

(3) The requirement referred to in subsection (2)(b) is that the applicant shall pass such test of competence to drive a taxi as may be prescribed.

(4) Subsections (2)(a)(i) and (b) shall not apply, for or until such time or for such a period as may be prescribed, to an applicant for a taxi driver's licence under this section who, immediately before the coming into operation of this section, was the holder of a taxi driver's licence granted under Article 79A of the 1981 Order.

(5) A taxi driver's licence shall be granted subject to such conditions as may be prescribed and such other conditions as the Department may think fit.

(6) Without prejudice to the generality of subsection (5), a taxi driver's licence may be subject to the condition that the licence holder may only drive a taxi of such class as may be specified in the licence.

(7) A taxi driver's licence shall be in such form and shall contain such particulars as the Department may think fit.

(8) [<sup>F3</sup>Subject to section 23A, a] taxi driver's licence shall be granted for three years or for such shorter period as the Department may consider appropriate in the circumstances of the case.

(9) An applicant for a taxi driver's licence may by notice appeal to the Department against—

- (a) a decision not to grant such a licence; or
- (b) any condition (other than a prescribed condition) to which the licence is subject.

(10) 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.

(11) On an appeal under subsection (9), the Department may decide to

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

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

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

(13) A person who is aggrieved by a decision of the Department under subsection (11) may appeal to a court of summary jurisdiction against any such decision.

(14) For the purposes of subsection (2), a person is authorised to drive a motor car if—

---

**Changes to legislation:** *Taxis Act (Northern Ireland) 2008, Section 23 is up to date with all changes known to be in force on or before 13 February 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*

---

- (a) the person holds a licence granted under Part 2 of the 1981 Order (other than a provisional licence) authorising the person to drive a motor car; or
- (b) the person is authorised by virtue of Article 15A(1) or 19E(1) of that Order (Community licences and Great Britain licences) to drive a motor car in Northern Ireland.

(15) In this section “motor car” means a motor vehicle (other than an invalid carriage or motor cycle (within the meaning given in Article 2(2) of the 1981 Order))—

- (a) which is constructed or adapted to carry not more than 8 passengers in addition to the driver; and
- (b) which has a maximum gross weight (within the meaning given in Part 2 of the 1981 Order) not exceeding 3.5 tonnes.

#### Textual Amendments

- F1** S. 23(2)(aa) inserted (1.12.2016) by [Immigration Act 2016 \(c. 19\)](#), s. 94(1), **Sch. 5 para. 48(2)** (with [Sch. 5 para. 54](#)); [S.I. 2016/1037](#), reg. 5(i) (with reg. 6)
- F2** S. 23(2A) inserted (1.12.2016) by [Immigration Act 2016 \(c. 19\)](#), s. 94(1), **Sch. 5 para. 48(3)** (with [Sch. 5 para. 54](#)); [S.I. 2016/1037](#), reg. 5(i) (with reg. 6)
- F3** Words in s. 23(8) substituted (1.12.2016) by [Immigration Act 2016 \(c. 19\)](#), s. 94(1), **Sch. 5 para. 48(4)** (with [Sch. 5 para. 54](#)); [S.I. 2016/1037](#), reg. 5(i) (with reg. 6)

#### Commencement Information

- I1** S. 23(1)-(7) s. 23(9)-(15) in operation at 24.9.2014 for specified purposes by [S.R. 2014/238](#), art. 2(1), **Sch. Pt. 1**
- I2** S. 23(1)-(7) s. 23(9)-(15) in operation at 31.10.2014 in so far as not already in operation by [S.R. 2014/238](#), art. 2(2), **Sch. Pt. 2**

**Changes to legislation:**

Taxis Act (Northern Ireland) 2008, Section 23 is up to date with all changes known to be in force on or before 13 February 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.

[View outstanding changes](#)

**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](#)