



2008 CHAPTER 4

PART 4

LICENCES: GENERAL PROVISIONS

Power to suspend, revoke or curtail licences

26.—(1) The Department may suspend or revoke a licence under this Act or curtail an operator's licence for any reasonable cause including (without prejudice to the generality of this subsection) any ground mentioned below.

(2) The Department may suspend or revoke an operator's licence where—

(a) the Department is no longer satisfied that the licence holder is fit to hold such a licence;

[^{F1}(aa) the licence holder has, since the grant of the licence, been convicted of an immigration offence or required to pay an immigration penalty;] or

(b) the licence holder has failed to comply with any condition of the licence or any other obligation imposed on the licence holder by or under this Act.

[^{F2}(2A) Subsection (2)(aa) does not apply if—

(a) in a case where the licence holder has been convicted of an immigration offence, the conviction is a spent conviction within the meaning of the Rehabilitation of Offenders (Northern Ireland) Order 1978 (SI 1978/1908 (NI 27)), or

(b) in a case where the licence holder has been required to pay an immigration penalty—

(i) more than three years have elapsed since the date on which the penalty was imposed, and

(ii) the amount of the penalty has been paid in full.]

Changes to legislation: Taxis Act (Northern Ireland) 2008, Section 26 is up to date with all changes known to be in force on or before 12 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

(3) The Department may curtail an operator's licence where the licence holder has failed to comply with any condition of the licence or any other obligation imposed on the licence holder by or under this Act.

(4) For the purposes of this Act references to curtailing an operator's licence are references to directing (with effect for the duration of the remainder of the licence or for any shorter period), either or both of the following, namely—

- (a) that one or more of the taxis for or in respect of which the licensed operator may operate a taxi service at any one time and which are specified in the licence be removed from it;
- (b) that the maximum number of taxis or the maximum number of taxis of different classes or different classes of use for or in respect of which the licensed operator may operate a taxi service at any one time and which are specified in the licence be reduced.

(5) The Department may suspend or revoke a taxi licence where—

- (a) the Department is no longer satisfied that the taxi to which the licence relates is fit for use in standing or plying for hire or reward or to carry passengers for hire or reward; or
- (b) the owner has failed to comply with any condition of the licence or any other obligation imposed on the owner by or under this Act.

(6) The Department may suspend or revoke a taxi driver's licence where

- (a) the Department is no longer satisfied that the licence holder is fit to hold such a licence;
- [^{F3}(aa) the licence holder has, since the grant of the licence, been convicted of an immigration offence or required to pay an immigration penalty;] or
- (b) the licence holder has failed to comply with any condition of the licence or any other obligation imposed on the licence holder by or under this Act.

[^{F4}(7) Subsection (6)(aa) does not apply if—

- (a) in a case where the licence holder has been convicted of an immigration offence, the conviction is a spent conviction within the meaning of the Rehabilitation of Offenders (Northern Ireland) Order 1978 (SI 1978/1908 (NI 27)), or
- (b) in a case where the licence holder has been required to pay an immigration penalty—
 - (i) more than three years have elapsed since the date on which the penalty was imposed, and
 - (ii) the amount of the penalty has been paid in full.]

Changes to legislation: *Taxis Act (Northern Ireland) 2008, Section 26 is up to date with all changes known to be in force on or before 12 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*

Textual Amendments

- F1** S. 26(2)(aa) inserted (1.12.2016) by Immigration Act 2016 (c. 19), s. 94(1), **Sch. 5 para. 50(2)** (with Sch. 5 para. 55); S.I. 2016/1037, reg. 5(i) (with reg. 6)
- F2** S. 26(2A) inserted (1.12.2016) by Immigration Act 2016 (c. 19), s. 94(1), **Sch. 5 para. 50(3)** (with Sch. 5 para. 55); S.I. 2016/1037, reg. 5(i) (with reg. 6)
- F3** S. 26(6)(aa) inserted (1.12.2016) by Immigration Act 2016 (c. 19), s. 94(1), **Sch. 5 para. 50(4)** (with Sch. 5 para. 55); S.I. 2016/1037, reg. 5(i) (with reg. 6)
- F4** S. 26(7) inserted (1.12.2016) by Immigration Act 2016 (c. 19), s. 94(1), **Sch. 5 para. 50(5)** (with Sch. 5 para. 55); S.I. 2016/1037, reg. 5(i) (with reg. 6)

Commencement Information

- I1** S. 26 in operation at 1.9.2012 by S.R. 2012/313, art. 2(2), **Sch. Pt. 2**

Changes to legislation:

Taxis Act (Northern Ireland) 2008, Section 26 is up to date with all changes known to be in force on or before 12 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](#)