



2008 CHAPTER 4

PART 1

REGULATION OF TAXI OPERATORS

CHAPTER 1

GENERAL

Duties of licensed operators, etc.

3.—(1) A licensed operator shall secure that any taxi for or in respect of which the licensed operator operates a taxi service is a licensed taxi driven by a person holding a taxi driver's licence.

(2) Subject to such exceptions as may be prescribed, a taxi booking shall only be accepted at an operating centre specified in the operator's licence.

(3) A licensed operator shall—

- (a) display a copy of the licensed operator's licence at any operating centre specified in that licence to which any member of the public has access;
- (b) keep such records as may be prescribed of the prescribed particulars of the licensed operator's operation of a taxi service (including, without prejudice to the generality of the foregoing, such particulars as may be prescribed relating to taxis for or in respect of which the licensed operator operates a taxi service, affiliated drivers, taxi bookings and any other provision made of taxis to stand or ply for hire or reward or to carry passengers for hire or reward together with records of the particulars notified to the licensed operator by virtue of subsection (8));
- (c) keep such records as may be prescribed of particulars of any complaints made;

- (d) keep copies of any licences required under this Act and any certificates of insurance required;
- (e) keep such other records or information as may be prescribed;
- (f) at the request of a constable or authorised officer—
 - (i) produce for inspection any documents or records required by this section to be kept;
 - (ii) provide such copies as may be requested of such documents or records;
 - (iii) submit such documents or records to the Department.

(4) Any documents or records required to be kept in accordance with paragraphs (b) to (e) of subsection (3) shall be kept at each operating centre which is specified in the licence of the licensed operator as an operating centre at which records are to be kept.

(5) A person who knowingly or recklessly keeps, makes or causes to be kept or made, records required to be kept in accordance with subsection (3)(b) which are false or misleading in any material particular, is guilty of an offence.

(6) If a licensed operator ceases to use an operating centre specified in the licensed operator's licence the licensed operator shall preserve any record which the licensed operator was required by this section to keep there for such period as may be prescribed

(7) Subject to such exceptions as may be prescribed, a person shall not be an affiliated driver of more than one licensed operator at any one time.

(8) An affiliated driver of a licensed operator shall notify that operator of the prescribed particulars of—

- (a) any taxi bookings the affiliated driver carries out; and
- (b) any other provision the affiliated driver makes of a taxi to stand or ply for hire or reward or to carry passengers for hire or reward,

as soon as reasonably practicable after doing so.

(9) A licensed operator shall deal with any complaints made to the licensed operator concerning the licensed operator's operation of a taxi service in such manner as may be prescribed (and without prejudice to the generality of the foregoing, regulations may include provision for the involvement of the General Consumer Council for Northern Ireland in relation to any such complaints).

(10) A licensed operator who contravenes subsection (1) is guilty of an offence.

(11) A person who contravenes any other provision of this section or of regulations made under this section is guilty of an offence.

(12) It is a defence in proceedings for an offence under this section for a person to show that the person exercised all due diligence to avoid committing such an offence.