

Status: Point in time view as at 22/01/2018.

Changes to legislation: Civic Government (Scotland) Act 1982, Paragraph 8A is up to date with all changes known to be in force on or before 26 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)

SCHEDULES

SCHEDULE 1

LICENSING—FURTHER PROVISIONS AS TO THE GENERAL SYSTEM

Modifications etc. (not altering text)

C1 Sch. 1: power to apply conferred (18.11.1996) by 1996 c. 58, ss. 33(3), 48(6)

[^{F1}Taxi etc driving licences for persons subject to immigration control

Textual Amendments

F1 Sch. 1 para. 8A and cross-heading inserted (1.12.2016) by Immigration Act 2016 (c. 19), s. 94(1), Sch. 5 para. 32(3) (with Sch. 5 para. 54); S.I. 2016/1037, reg. 5(i)

- 8A (1) Sub-paragraph (2) applies if—
- (a) a taxi driver's licence or private hire car driver's licence [^{F2}or booking office licence] is to be granted to a person who has been granted leave to enter or remain in the United Kingdom for a limited period (“the leave period”),
 - (b) the person's leave has not been extended by virtue of section 3C of the Immigration Act 1971 (continuation of leave pending variation decision), and
 - (c) apart from sub-paragraph (2), the period for which the licence would have had effect would have ended after the end of the leave period.
- (2) The licensing authority which grants the licence must specify a period in the licence as the period for which it has effect; and that period must end at or before the end of the leave period.
- (3) Sub-paragraph (4) applies if—
- (a) a taxi driver's licence or private hire car driver's licence [^{F3}or booking office licence] is to be granted to a person who has been granted leave to enter or remain in the United Kingdom for a limited period, and
 - (b) the person's leave has been extended by virtue of section 3C of the Immigration Act 1971 (continuation of leave pending variation decision).
- (4) The licensing authority which grants the licence must specify a period in the licence as the period for which it has effect; and that period must not exceed six months.
- (5) A taxi driver's licence or private hire car driver's licence ceases to have effect if the person to whom it was granted becomes disqualified by reason of the person's immigration status from driving a taxi or private hire car.

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- [A booking office licence ceases to have effect if the person to whom it was granted
^{F4}(5A) becomes disqualified by reason of the person’s immigration status from holding a
 booking office licence.]
- (6) Section 13A (persons disqualified by reason of immigration status) applies for the purposes of sub-paragraph (5) as it applies for the purposes of section 13(3A).
- (7) If a licence granted in accordance with sub-paragraph (2) or (4) expires, the person to whom it was granted must, within the period of 7 days beginning with the day after that on which it expired, return the licence to the licensing authority.
- (8) If sub-paragraph (5) applies to a licence, the person to whom it was granted must, within the period of 7 days beginning with the day after the day on which the person first became disqualified, return the licence to the licensing authority which granted the licence.
- (9) A person who, without reasonable excuse, contravenes sub-paragraph (7) or (8) is guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- (10) This paragraph applies in relation to the renewal of a licence as it applies in relation to the grant of a licence.]

Textual Amendments

- F2** Words in Sch. 1 para. 8A(1)(a) inserted by S.S.I. 2009/145, Sch. para. 3A(a) (as inserted) (22.1.2018) by [The Immigration Act 2016 \(Consequential Amendments\) \(Licensing of Booking Offices Scotland\) Regulations 2017 \(S.I. 2017/1317\)](#), regs. 1, **6(a)** (with reg. 7)
- F3** Words in Sch. 1 para. 8A(3)(a) inserted by S.S.I. 2009/145, Sch. para. 3A(b) (as inserted) (22.1.2018) by [The Immigration Act 2016 \(Consequential Amendments\) \(Licensing of Booking Offices Scotland\) Regulations 2017 \(S.I. 2017/1317\)](#), regs. 1, **6(a)** (with reg. 7)
- F4** Sch. 1 para. 8A(5A) inserted by S.S.I. 2009/145, Sch. para. 3A(c) (as inserted) (22.1.2018) by [The Immigration Act 2016 \(Consequential Amendments\) \(Licensing of Booking Offices Scotland\) Regulations 2017 \(S.I. 2017/1317\)](#), regs. 1, **6(a)** (with reg. 7)

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