



Private Hire Vehicles (London) Act 1998

1998 CHAPTER 34

Licences: general provisions

25 Appeals.

- (1) This section applies to any appeal which lies under this Act to a magistrates' court against a decision of the [^{F1}licensing authority], a constable or an authorised officer in relation to, or to an application for, a licence under this Act.
- (2) If the [^{F1}licensing authority] has exercised the power to delegate functions under section 24, such an appeal shall be heard by [^{F2}a magistrates' court].
- (3) Any such appeal shall be by way of complaint for an order and the ^{M1}Magistrates' Courts Act 1980 shall apply to the proceedings.
- (4) The time within which a person may bring such an appeal is 21 days from the date on which notice of the decision appealed against is served on him.
- (5) In the case of a decision where an appeal lies, the notice of the decision shall state the right of appeal to a magistrates' court and the time within which an appeal may be brought.
- (6) An appeal against any decision of a magistrates' court in pursuance of an appeal to which this section applies shall lie to the Crown Court at the instance of any party to the proceedings in the magistrates' court.
- (7) Where on appeal a court varies or reverses any decision of the [^{F1}licensing authority], a constable or an authorised officer, the order of the court shall be given effect to by the [^{F1}licensing authority] or, as the case may be, a constable or authorised officer.
- [^{F3}(8) On an appeal under this Act to the magistrates' court or the Crown Court, the court is not entitled to entertain any question as to whether—
 - (a) a person should be, or should have been, granted leave to enter or remain in the United Kingdom; or
 - (b) a person has, after the date of the decision being appealed against, been granted leave to enter or remain in the United Kingdom.]

Changes to legislation: There are currently no known outstanding effects for the Private Hire Vehicles (London) Act 1998, Section 25. (See end of Document for details)

Textual Amendments

- F1** Words in s. 25 substituted (22.1.2001) by 1999 c. 29, s. 254(3), **Sch. 21 para. 2** (with Sch. 12 para. 9(1)); S.I. 2000/3145, **art. 2**
- F2** Words in s. 25(2) substituted (1.4.2005) by Courts Act 2003 (Consequential Provisions) Order 2005 (S.I. 2005/886), **art. 1**, **Sch. para. 54**
- F3** S. 25(8) inserted (1.12.2016) by Immigration Act 2016 (c. 19), s. 94(1), **Sch. 5 para. 41**; S.I. 2016/1037, **reg. 5(i)** (with **reg. 6**)
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Marginal Citations

- M1** 1980 c. 43.

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