



Private Hire Vehicles (London) Act 1998

1998 CHAPTER 34

Miscellaneous and supplementary

[^{F1}35B Immigration offences and immigration penalties

- (1) In this Act “immigration offence” means—
 - (a) an offence under any of the Immigration Acts;
 - (b) an offence under section 1 of the Criminal Attempts Act 1981 of attempting to commit an offence within paragraph (a); or
 - (c) an offence under section 1 of the Criminal Law Act 1977 of conspiracy to commit an offence within paragraph (a).
- (2) In this Act “immigration penalty” means a penalty under—
 - (a) section 15 of the Immigration, Asylum and Nationality Act 2006 (“the 2006 Act”), or
 - (b) section 23 of the Immigration Act 2014 (“the 2014 Act”).
- (3) For the purposes of this Act a person to whom a penalty notice under section 15 of the 2006 Act has been given is not to be treated as having been required to pay an immigration penalty if—
 - (a) the person is excused payment by virtue of section 15(3) of that Act; or
 - (b) the penalty is cancelled by virtue of section 16 or 17 of that Act.
- (4) For the purposes of this Act a person to whom a penalty notice under section 15 of the 2006 Act has been given is not to be treated as having been required to pay an immigration penalty until such time as—
 - (a) the period for giving a notice of objection under section 16 of that Act has expired and the Secretary of State has considered any notice given within that period; and
 - (b) if a notice of objection was given within that period, the period for appealing under section 17 of that Act has expired and any appeal brought within that period has been finally determined, abandoned or withdrawn.

Changes to legislation: There are currently no known outstanding effects for the Private Hire Vehicles (London) Act 1998, Section 35B. (See end of Document for details)

- (5) For the purposes of this Act a person to whom a penalty notice under section 23 of the 2014 Act has been given is not to be treated as having been required to pay an immigration penalty if—
- (a) the person is excused payment by virtue of section 24 of that Act; or
 - (b) the penalty is cancelled by virtue of section 29 or 30 of that Act.
- (6) For the purposes of this Act a person to whom a penalty notice under section 23 of the 2014 Act has been given is not to be treated as having been required to pay an immigration penalty until such time as—
- (a) the period for giving a notice of objection under section 29 of that Act has expired and the Secretary of State has considered any notice given within that period; and
 - (b) if a notice of objection was given within that period, the period for appealing under section 30 of that Act has expired and any appeal brought within that period has been finally determined, abandoned or withdrawn.]

Textual Amendments

- F1** Ss. 35A, 35B inserted (1.12.2016) by [Immigration Act 2016 \(c. 19\)](#), s. 94(1), [Sch. 5 para. 43](#); [S.I. 2016/1037](#), [reg. 5\(i\)](#) (with [reg. 6](#))

Changes to legislation:

There are currently no known outstanding effects for the Private Hire Vehicles (London) Act 1998, Section 35B.