

**Changes to legislation:** Immigration Act 2016, Cross Heading: Transitional provision is up to date with all changes known to be in force on or before 24 July 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

## SCHEDULES

### SCHEDULE 5

#### PRIVATE HIRE VEHICLES ETC

##### *Transitional provision*

- 54 (1) Subject to sub-paragraph (2), an amendment made by any of paragraphs 3, 4, 7 to 12, 18 to 23, 30, 32(2) and (3), 36 to 39 and 46 to 49 does not apply in relation to an application for a licence made before the coming into force of that paragraph or a licence granted in response to such an application.
- (2) Sub-paragraph (1) does not prevent an amendment made by any of those paragraphs from applying in relation to—
- (a) an application for the renewal of a licence where that licence was granted before the coming into force of that paragraph, or
  - (b) a licence renewed in response to such an application.

##### **Commencement Information**

**II** [Sch. 5 para. 54](#) in force at 1.12.2016 by [S.I. 2016/1037](#), [reg. 5\(i\)](#)

- 55 (1) Subject to sub-paragraphs (2) and (3), an amendment made by any of paragraphs 13, 14, 24, 25, 32(4), 40 and 50 applies in relation to a licence granted before or after the coming into force of that paragraph.
- (2) An amendment made by any of those paragraphs applies in relation to a conviction for an immigration offence only if the person in question has been convicted of that offence after the coming into force of that paragraph in respect of the person's conduct after that time.
- (3) An amendment made by any of those paragraphs applies in relation to a requirement to pay an immigration penalty only if the person in question has been required to pay the penalty after the coming into force of that paragraph in respect of the person's conduct after that time.

##### **Commencement Information**

**I2** [Sch. 5 para. 55](#) in force at 1.12.2016 by [S.I. 2016/1037](#), [reg. 5\(i\)](#)

- 56 (1) Section 19(1) of the Plymouth City Council Act 1975 has effect in relation to the licence of a driver of a hackney carriage or private hire vehicle granted before the coming into force of paragraph 13 as if before the “or” at the end of paragraph (a) there were inserted—
- “(ab) in the case of a refusal to renew a licence, that he is disqualified by reason of his immigration status from driving a hackney carriage or a private hire vehicle;”.

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- (2) Section 20A(1)(a) of that Act has effect in relation to such a licence as if after “subsection (1)(aa)” there were inserted “ or (ab) ”.
- (3) Section 20(1) of that Act has effect in relation to an operator's licence granted before the coming into force of paragraph 14 as if before the “or” at the end of paragraph (c) there were inserted—
  - “(cb) in the case of a refusal to renew a licence, that the operator is disqualified by reason of the operator's immigration status from operating a private hire vehicle;”.
- (4) Section 20A(1)(b) of that Act has effect in relation to such a licence as if after “subsection (1)(ca)” there were inserted “ or (cb) ”.
- (5) Section 61(1) of the Local Government (Miscellaneous Provisions) Act 1976 has effect in relation to the licence of a driver of a hackney carriage or private hire vehicle granted before the coming into force of paragraph 24 as if before the “or” at the end of paragraph (a) there were inserted—
  - “(ab) in the case of a refusal to renew a licence, that he is disqualified by reason of his immigration status from driving a hackney carriage or a private hire vehicle;”.
- (6) Section 62A(1)(a) of that Act has effect in relation to such a licence as if after “subsection (1)(aa)” there were inserted “ or (ab) ”.
- (7) Section 62(1) of that Act has effect in relation to an operator's licence granted before the coming into force of paragraph 25 as if before the “or” at the end of paragraph (c) there were inserted—
  - “(cb) in the case of a refusal to renew a licence, that the operator is disqualified by reason of the operator's immigration status from operating a private hire vehicle;”.
- (8) Section 62A(1)(b) of that Act has effect in relation to such a licence as if after “subsection (1)(ca)” there were inserted “ or (cb) ”.
- (9) Subsections (3A) to (3C) of section 13 of the Civic Government (Scotland) Act 1982 apply in relation to an application for the renewal of a taxi driver's or private hire car driver's licence granted before the coming into force of paragraph 30 as they apply in relation to an application for the grant of such a licence made after that time.

#### Commencement Information

**I3** Sch. 5 para. 56 in force at 1.12.2016 by S.I. 2016/1037, reg. 5(i)

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**Changes and effects yet to be applied to :**

- specified provision(s) amendment to earlier commencing S.I. 2017/1241, Sch. by [S.I. 2018/31 reg. 2](#)