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**Changes to legislation:** Immigration Act 2016, Paragraph 40 is up to date with all changes known to be in force on or before 20 April 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) View outstanding changes

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## SCHEDULES

### SCHEDULE 5

#### PRIVATE HIRE VEHICLES ETC

##### *Private Hire Vehicles (London) Act 1998 (c. 34)*

- 40 (1) Section 16 (power to suspend or revoke licences) is amended as follows.
- (2) In subsection (2) before the “or” at the end of paragraph (a) insert—
- “(aa) the licence holder has, since the grant of the licence, been convicted of an immigration offence or required to pay an immigration penalty;”.
- (3) After subsection (2) insert—
- “(2A) Subsection (2)(aa) does not apply if—
- (a) in a case where the licence holder has been convicted of an immigration offence, the conviction is a spent conviction within the meaning of the Rehabilitation of Offenders Act 1974, or
- (b) in a case where the licence holder has been required to pay an immigration penalty—
- (i) more than three years have elapsed since the date on which the penalty was imposed, and
- (ii) the amount of the penalty has been paid in full.”
- (4) In subsection (4) at the end of paragraph (a) insert—
- “(aa) the licence holder has, since the grant of the licence, been convicted of an immigration offence or required to pay an immigration penalty;”.
- (5) After subsection (4) insert—
- “(5) Subsection (4)(aa) does not apply if—
- (a) in a case where the licence holder has been convicted of an immigration offence, the conviction is a spent conviction within the meaning of the Rehabilitation of Offenders Act 1974, or
- (b) in a case where the licence holder has been required to pay an immigration penalty—
- (i) more than three years have elapsed since the date on which the penalty was imposed, and
- (ii) the amount of the penalty has been paid in full.”

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#### Commencement Information

**II** Sch. 5 para. 40 in force at 1.12.2016 by S.I. 2016/1037, reg. 5(i) (with reg. 6)

**Changes to legislation:**

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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](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 69(9)(d) and word inserted by [2023 c. 37 s. 21\(2\)\(b\)](#)
- Sch. 10 para. 3(2)(eza) inserted by [2023 c. 37 s. 13\(3\)\(a\)](#)
- Sch. 10 para. 3(3A)-(3C) inserted by [2023 c. 37 s. 13\(3\)\(b\)](#)
- Sch. 10 para. 3A and cross-heading inserted by [2023 c. 37 s. 13\(4\)](#)