



Metropolitan Public Carriage Act 1869

1869 CHAPTER 115 32 and 33 Vict

Licensing Hackney and Stage Carriages

^{F1} 6 Grant of hackney carriage licences.

- (1) Transport for London shall have the function of licensing to ply for hire within the limits of this Act hackney carriages, to be distinguished in such manner as may be prescribed.
- (2) A licence under this section may—
 - (a) be granted on such conditions,
 - (b) be in such form,
 - (c) be subject to revocation or suspension in such event, and
 - (d) generally be dealt with in such manner,as may be prescribed.
- (3) Subsection (2) of this section is subject to the following provisions of this section.
- (4) A licence under this section shall, if not revoked or suspended, be in force for one year.
- (5) A fee of such amount (if any) as Transport for London may determine shall be paid to Transport for London—
 - (a) by any applicant for a licence under this section, on making the application for the licence;
 - (b) by any applicant for the taking or re-taking of any test or examination, or any part of a test or examination, with respect to any matter of fitness, on making the application for the taking or re-taking of the test, examination or part; and
 - (c) by any person granted a licence under this section, on the grant of the licence.
- (6) In paragraph (b) of subsection (5) of this section “ matter of fitness ” means—
 - (a) any matter as respects which Transport for London must be satisfied before granting a licence under this section; or
 - (b) any matter such that, if Transport for London is not satisfied with respect to the matter, they may refuse to grant a licence under this section.

Changes to legislation: There are currently no known outstanding effects for the Metropolitan Public Carriage Act 1869, Cross Heading: Licensing Hackney and Stage Carriages. (See end of Document for details)

- (7) Different amounts may be determined under subsection (5) of this section for different purposes or different cases.
- (8) Transport for London may remit or refund the whole or part of a fee under subsection (5) of this section.
- (9) Provision shall be made by London cab order—
- (a) for the transfer of a licence under this section to the [^{F2} surviving spouse or surviving civil partner] or to any child of full age of any person to whom such a licence has been granted who may die during the continuance of the licence leaving a [^{F2} surviving spouse or surviving civil partner] or child of full age; ^{F3} ...
- ^{F4}(b)]

Textual Amendments

- F1** S. 6 substituted (3.7.2000) by 1999 c. 29, s. 253, **Sch. 20 Pt. I para. 5(3)** (with Sch. 12 para. 9(1)); S.I. 2000/801, art. 2(2)(c), **Sch. Pt. 3**
- F2** Words in s. 6(9)(a) substituted (13.3.2014) by The Marriage (Same Sex Couples) Act 2013 (Consequential and Contrary Provisions and Scotland) Order 2014 (S.I. 2014/560), art. 1(2), **Sch. 1 para. 1(a)(i)**
- F3** Word in s. 6(9)(a) omitted (13.3.2014) by virtue of The Marriage (Same Sex Couples) Act 2013 (Consequential and Contrary Provisions and Scotland) Order 2014 (S.I. 2014/560), art. 1(2), **Sch. 1 para. 1(a)(ii)**
- F4** S. 6(9)(b) omitted (13.3.2014) by virtue of The Marriage (Same Sex Couples) Act 2013 (Consequential and Contrary Provisions and Scotland) Order 2014 (S.I. 2014/560), art. 1(2), **Sch. 1 para. 1(b)**

7 Penalty on use of unlicensed carriages.

If any unlicensed hackney . . . ^{F5} carriage plies for hire, the owner of such carriage shall be liable to a penalty not exceeding five pounds for every day during which such unlicensed carriage plies. And if any unlicensed hackney carriage is found on any stand within the limits of this Act, the owner of such carriage shall be liable to a penalty not exceeding five pounds for each time it is so found. The driver also shall in every such case be liable to a like penalty unless he proves that he was ignorant of the fact of the carriage being an unlicensed carriage.

Any hackney . . . ^{F5} carriage plying for hire, and any hackney carriage found on any stand without having such distinguishing mark, or being otherwise distinguished in such manner as may for the time being be prescribed ^{F6} . . . , shall be deemed to be an unlicensed carriage.

Textual Amendments

- F5** Words repealed by Statute Law (Repeals) Act 1976 (c. 16), **Sch. 1 Pt. XVII**
- F6** Words in s. 7 repealed (3.7.2000) by 1999 c. 29, ss. 253, 423, Sch. 20 Pt. I para. 5(4), **Sch. 34 Pt. V** (with Sch. 12 para. 9(1)); S.I. 2000/801, art. 2(2)(c), **Sch. Pt. 3**

Changes to legislation: *There are currently no known outstanding effects for the Metropolitan Public Carriage Act 1869, Cross Heading: Licensing Hackney and Stage Carriages. (See end of Document for details)*

Modifications etc. (not altering text)

- C1** S. 7: by [Criminal Justice Act 1967 \(c. 80, SIF 39:1\)](#), **Sch. 3 Pt. 1** it was provided that s. 7 should have effect as if the maximum fine which might be imposed on summary conviction for any offence specified in s. 7 were a fine not exceeding £20 for a first offence and £50 for a second or subsequent offence and, as regards s. 7 as so amended, [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), **ss. 35** (in relation to liability on first and subsequent convictions), 39(2) (and Sch. 3) (increase of fines) and 46 (substitution of references to levels on the standard scale) apply

Changes to legislation:

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