



2008 CHAPTER 4

PART 3

REGULATION OF DRIVERS OF TAXIS

Taxi driver's licences

23.—(1) Any person may apply to the Department for a taxi driver's licence.

(2) The Department shall grant a taxi driver's licence to an applicant if it is satisfied that—

(a) the applicant—

(i) subject to subsection (4), is (and has been continuously for at least three years immediately before the date of the applicant's application, or in prescribed circumstances for such lesser period as may be prescribed) authorised to drive a motor car;

(ii) is a fit and proper person to hold a taxi driver's licence; and

(iii) meets any further requirements that may be prescribed (including, without prejudice to the generality of the foregoing, requirements relating to training);

(b) subject to subsection (4), the requirement mentioned in subsection (3) is met; and

(c) any further requirements that may be prescribed are met.

(3) The requirement referred to in subsection (2)(b) is that the applicant shall pass such test of competence to drive a taxi as may be prescribed.

(4) Subsections (2)(a)(i) and (b) shall not apply, for or until such time or for such a period as may be prescribed, to an applicant for a taxi driver's licence under this section who, immediately before the coming into operation of this

section, was the holder of a taxi driver's licence granted under Article 79A of the 1981 Order.

(5) A taxi driver's licence shall be granted subject to such conditions as may be prescribed and such other conditions as the Department may think fit.

(6) Without prejudice to the generality of subsection (5), a taxi driver's licence may be subject to the condition that the licence holder may only drive a taxi of such class as may be specified in the licence.

(7) A taxi driver's licence shall be in such form and shall contain such particulars as the Department may think fit.

(8) A taxi driver's licence shall be granted for three years or for such shorter period as the Department may consider appropriate in the circumstances of the case.

(9) An applicant for a taxi driver's licence may by notice appeal to the Department against—

- (a) a decision not to grant such a licence; or
- (b) any condition (other than a prescribed condition) to which the licence is subject.

(10) The time within which a person may bring such an appeal is 21 days from the date on which the notice of the decision appealed against is served on the person.

(11) On an appeal under subsection (9), the Department may decide to

- (a) confirm, reverse or vary the decision; or
- (b) approve, revoke or vary the condition,

(as the case may be) as it thinks fit.

(12) The Department shall, on making a decision under subsection (11), give notice of the decision to the appellant including particulars of the grounds of the decision.

(13) A person who is aggrieved by a decision of the Department under subsection (11) may appeal to a court of summary jurisdiction against any such decision.

(14) For the purposes of subsection (2), a person is authorised to drive a motor car if—

- (a) the person holds a licence granted under Part 2 of the 1981 Order (other than a provisional licence) authorising the person to drive a motor car; or
- (b) the person is authorised by virtue of Article 15A(1) or 19E(1) of that Order (Community licences and Great Britain licences) to drive a motor car in Northern Ireland.

(15) In this section “motor car” means a motor vehicle (other than an invalid carriage or motor cycle (within the meaning given in Article 2(2) of the 1981 Order))—

- (a) which is constructed or adapted to carry not more than 8 passengers in addition to the driver; and
- (b) which has a maximum gross weight (within the meaning given in Part 2 of the 1981 Order) not exceeding 3.5 tonnes.