

Status: Point in time view as at 01/12/2020.

Changes to legislation: Immigration Act 2016, Paragraph 26 is up to date with all changes known to be in force on or before 14 July 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)

SCHEDULES

SCHEDULE 5

PRIVATE HIRE VEHICLES ETC

Local Government (Miscellaneous Provisions) Act 1976 (c. 57)

26 After section 62 insert—

“62A Return of licences suspended or revoked on immigration grounds

- (1) Subsection (2) applies if—
 - (a) under section 61 a district council suspend, revoke or refuse to renew the licence of a driver of a hackney carriage or a private hire vehicle on the ground mentioned in subsection (1)(aa) of that section, or
 - (b) under section 62 a district council suspend, revoke or refuse to renew an operator's licence on the ground mentioned in subsection (1)(ca) of that section.
- (2) The person to whom the licence was granted must, within the period of 7 days beginning with the relevant day, return to the district council—
 - (a) the licence, and
 - (b) in the case of a licence of a driver of a hackney carriage or a private hire vehicle, the person's driver's badge.
- (3) In subsection (2) “the relevant day” means—
 - (a) where the licence is suspended or revoked, the day on which the suspension or revocation takes effect;
 - (b) where the district council refuse to renew the licence, the day on which the licence expires as a result of the failure to renew it.
- (4) A person who, without reasonable excuse, contravenes subsection (2) is guilty of an offence and liable on summary conviction—
 - (a) to a fine not exceeding level 3 on the standard scale, and
 - (b) in the case of a continuing offence, to a fine not exceeding ten pounds for each day during which an offence continues after conviction.
- (5) The Secretary of State may by regulations made by statutory instrument amend the amount for the time being specified in subsection (4)(b).
- (6) Regulations under subsection (5) may make transitional, transitory or saving provision.
- (7) A statutory instrument containing regulations under subsection (5) may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament.”

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Commencement Information

II Sch. 5 para. 26 in force at 1.12.2016 by S.I. 2016/1037, reg. 5(i) (with reg. 6)

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