



London Hackney Carriages Act 1843

1843 CHAPTER 86 6 and 7 Vict

An Act for regulating Hackney and Stage Carriages in and near
London. [22nd August 1843]

Modifications etc. (not altering text)

- C1 Short title “The London Hackney Carriages Act 1843” given by [Short Titles Act 1896 \(c. 14\)](#)
- C2 Act repealed as to public service vehicles by [Road Traffic Act 1930 \(c. 43\)](#), [Sch. 5](#)
- C3 Act amended by [Metropolitan Public Carriage Act 1869 \(c. 115, SIF 107:1\)](#)
- C4 “registrar” means Registrar of Metropolitan Public Carriages
- C5 Functions of Registrar of Metropolitan Public Carriages now exercisable by an Assistant Commissioner of Police of the Metropolis: [London Hackney Carriages Act 1850 \(c. 7, SIF 107:1\)](#), [s. 2](#), [Metropolitan Police Act 1856 \(c. 2, SIF 95\)](#), [ss. 1, 5, 7](#), [Metropolitan Public Carriage Act 1869 \(c. 115, SIF 107:1\)](#), [ss. 6, 8, 11](#), [S. R. & O. 1934/1346 \(Rev. XIV, p. 795: 1934 I, p. 1221\)](#) and [S. I. 1955/1853 \(1955 I, p. 1143\)](#)

^{F1}

Textual Amendments

- F1 [S. 1](#) repealed by [Statute Law Revision \(No. 2\) Act 1874 \(c. 96\)](#)

2 Interpretation of terms.

^{F2} . . . the word “proprietor” shall include every person who, either alone or in partnership with any other person, shall keep any hackney carriage ^{F3} . . . , or who shall be concerned otherwise than as a driver or attendant in employing for hire any hackney carriage ^{F2}

Status: Point in time view as at 01/02/1991.

Changes to legislation: London Hackney Carriages Act 1843 is up to date with all changes known to be in force on or before 08 August 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)

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Textual Amendments

F2 S. 2, except the definition of “proprietor”, repealed by [Statute Law \(Repeals\) Act 1989 \(c. 43\)](#), s. 1(1), [Sch. 1 Pt. X](#)

F3 Words repealed by [Statute Law Repeals Act 1976 \(c. 16\)](#), [Sch. 1 Pt XVII](#)

3 Provisions of 1 & 2 Will. 4 c. 22 extended to this Act.

So much of the ^{M1}London Hackney Carriage Act, 1831, as relates to hackney carriages ^{F4} . . . , and not hereby repealed, ^{F4} . . . , shall extend and apply to hackney carriages ^{F4} . . . within the meaning of this Act ^{F4} . . .

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Textual Amendments

F4 Words repealed by [Statute Law Revision \(No.2\) Act 1874 \(c. 96\)](#)

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Marginal Citations

M1 [1831 c. 22.\(107:1\)](#).

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Textual Amendments

F5 S. 4 repealed by [Statute Law \(Repeals\) Act 1973 \(c. 39\)](#), [Sch. 1 Pt. VI](#)

^{F6}5, 6.

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Textual Amendments

F6 Ss. 5, 6 repealed by [Statute Law Revision \(No. 2\) Act 1874 \(c. 96\)](#)

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Textual Amendments

F7 Ss. 7, 15 repealed by [Statute Law \(Repeals\) Act 1976 \(c. 16\)](#), [Sch. 1 Pt. XVII](#)

8 Registrar to grant licences. At the time of granting any licence an abstract of the laws and a ticket to be given.

It shall be lawful for the registrar to grant a licence to act as driver of hackney carriages, . . . ^{F8} to any person who shall produce such a certificate as shall satisfy the said registrar of his good behaviour and fitness for such situation . . . ^{F9}; and in every such licence shall be specified the number of such licence, and the proper name

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and surname and place of abode, and age, and a description of the person to whom such licence shall be granted . . . ^{F10}; and every such licence shall bear date on the day on which the same shall be granted, . . . ^{F10} and on every licence of a driver . . . ^{F9} the registrar shall cause proper columns to be prepared, in which every proprietor employing the driver . . . ^{F9} named in such licence shall enter his own name and address, and the days on which such driver . . . ^{F9} shall enter and shall quit his service respectively; and in case any of the particulars entered or endorsed upon any licence in pursuance of this Act shall be erased or defaced every such licence shall be wholly void and of none effect; and the said registrar shall, at the time of granting any licence, deliver to the driver, . . . ^{F9}, or waterman, to whom the same shall be granted an abstract of the laws in force relating to such driver, . . . ^{F9}, or waterman and of the penalties to which he is liable for any misconduct, and also a metal ticket, upon which there shall be marked or engraved his office or employment, and a number corresponding with the number which shall be inserted in such licence.

Textual Amendments

- F8** Words repealed by [Statute Law Revision \(No. 2\) Act 1874 \(c. 96\)](#) and [Statute Law \(Repeals\) Act 1976 \(c. 16\)](#), **Sch. 1 Pt. XVII**
- F9** Words repealed by [Statute Law Repeals Act 1976 \(c. 16\)](#), **Sch. 1 Pt XVII**
- F10** Words repealed by [Statute Law Revision \(No.2\) Act 1874 \(c. 96\)](#)

Modifications etc. (not altering text)

- C6** [S. 8](#) repealed so far as it relates to a waterman by [Statute Law Revision \(No. 2\) Act 1874 \(c. 96\)](#)

^{F119}

Textual Amendments

- F11** [Ss. 9, 11–13](#) repealed by [Statute Law Revision \(No. 2\) Act 1874 \(c. 96\)](#)

10 †Penalty on persons acting as drivers, &c. without licences and tickets, 5*l.*; on proprietors suffering drivers or conductors so to do, 10*l.* Employment of unlicensed drivers, &c. in case of necessity.

. ^{F12} every person to whom a licence and ticket shall have been granted who shall, except in compliance with the provisions of this Act, transfer or lend such licence, or permit any other person to use or wear such ticket, shall for every such offence forfeit the sum of five pounds; and every proprietor who shall knowingly suffer any person not duly licensed under the authority of this Act to act as driver of any hackney carriage, . ^{F12}, of which he shall be the proprietor, shall for every such offence forfeit the sum of ten pounds: Provided always, that nothing herein-before contained shall subject to any penalty any proprietor who shall employ any unlicensed person to act as such driver. ^{F12} as aforesaid for any time not exceeding twenty-four hours, or any unlicensed person who shall be so employed for the said time, upon proof being adduced by the proprietor, to the satisfaction of the justice of the peace before whom such proprietor, driver, . ^{F12} shall be required to attend to answer for such offences respectively, that such employment was occasioned by unavoidable necessity; and that every proprietor who shall so employ such unlicensed driver. ^{F12}, and every such unlicensed driver. ^{F12}, shall be subject to all the powers, provisions, and proceedings of and under this Act

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or the said recited Act of his late Majesty for any act done by such driver. ^{F12} during such employment, in like manner as if such driver. ^{F12} had been duly licensed.

Textual Amendments

F12 Words repealed by [Statute Law Repeals Act 1976 \(c. 16\)](#), **Sch. 1 Pt XVII**

Modifications etc. (not altering text)

C7 Unreliable marginal note.

C8 [S. 10](#) amended as to maximum amounts of fines on summary conviction by [Criminal Justice Act 1967 \(c. 80, SIF 39:1\)](#), **Sch. 3 Pt. I** and [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), **ss. 35, 38, 46**

^{F13} 11-
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Textual Amendments

F13 [Ss. 9, 11–13](#) repealed by [Statute Law Revision \(No. 2\) Act 1874 \(c. 96\)](#)

14 Persons applying for licences to sign a requisition for the same, &c.

Before any such licence as aforesaid shall be granted a requisition for the same, in such form as the said registrar shall from time to time appoint for that purpose, and accompanied with such certificate as herein-before is required, shall be made and signed by the person by whom such licence shall be required; and in every such requisition all such particulars as the registrar shall require shall be truly set forth; and every person applying for or attempting to procure any such licence who shall make or cause to be made any false representation in regard to any of the said particulars, . . . ^{F14}, or who shall not truly answer all questions which shall be demanded of him in relation to such application for a licence, and also every person to whom reference shall be made who shall, in regard to such application, wilfully and knowingly make any misrepresentation, shall forfeit for every such offence the sum of [^{F15}level 3 on the standard scale] ; and it shall be lawful for the registrar to proceed for recovering of such penalty before any magistrate at any time within one calendar month after the commission of the offence, or during the currency of the licence so improperly obtained.

Textual Amendments

F14 Words repealed by [Forgery and Counterfeiting Act 1981 \(c. 45, SIF 39:37\)](#), **Sch. Pt. I**

F15 Words substituted by virtue of [Criminal Justice Act 1967 \(c. 80, SIF 39:1\)](#), **Sch. 3 Pt. I** and [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), **ss. 38, 46**

^{F16} 15
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Textual Amendments

F16 [Ss. 7, 15](#) repealed by [Statute Law \(Repeals\) Act 1976 \(c. 16\)](#), **Sch. 1 Pt. XVII**

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16 Particulars of licences to be entered in a book at the registrar's office.

The particulars of every licence which shall be granted as aforesaid shall be entered in books to be kept for that purpose at the office of the said registrar; and in all courts, and before any justice of the peace, and upon all occasions whatsoever, a copy of an entry made in any such book, and certified by the person having the charge thereof to be a true copy, shall be received as evidence, and be deemed sufficient proof of all things therein registered, without requiring the production of the said book, or of any licence, or of any requisition or other document upon which any such entry may be founded; and every person applying at all reasonable times shall be furnished with a certified copy of the particulars respecting any licensed person, without payment of any fee.

17 Tickets to be worn by drivers.

Every licensed driver,^{F17} . . . and waterman shall at all times during his employment, and when he shall be required to attend before any justice of the peace, wear his ticket conspicuously upon his breast, in such manner that the whole of the writing thereon shall be distinctly legible; and every driver,^{F17} . . . or waterman who shall act as such, or who shall attend when required before any justice of the peace, without wearing such ticket in manner aforesaid, or who, when thereunto required, shall refuse to produce such ticket for inspection, or to permit any person to note the writing thereon, shall for every such offence forfeit the sum of [^{F18}level 1 on the standard scale].

Textual Amendments

F17 Words repealed by [Statute Law Repeals Act 1976 \(c. 16\)](#), [Sch. 1 Pt XVII](#)

F18 Words substituted by virtue of [Criminal Justice Act 1967 \(c. 80, SIF 39:1\)](#), [Sch. 3 Pt. I](#) and [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), [ss. 38, 46](#)

Modifications etc. (not altering text)

C9 S. 17 repealed so far as it relates to a waterman by [Statute Law Revision \(No. 2\) Act 1874 \(c. 96\)](#)

18 Licences and tickets to be delivered up on the discontinuance of licences.

Upon the expiration of any licence granted under this Act the person to whom such licence shall have been granted shall deliver such licence and the ticket relating thereto to the said registrar; and every such person who, after the expiration of such licence, shall wilfully neglect for three days to deliver the same to the said registrar, and also every person who shall use or wear or detain any ticket without having a licence in force relating to such ticket, or who shall for the purpose of deception use or wear or have any ticket resembling or intended to resemble any ticket granted under the authority of this Act, shall for every such offence forfeit the sum [^{F19}level 1 on the standard scale]; and it shall be lawful for the registrar, or for any person employed by him for that purpose, to prosecute any person so neglecting to deliver up his licence or ticket, at any period within twelve calendar months after the expiration of the licence; and it shall be lawful for any constable or peace officer, or any person employed for that purpose by the registrar, to seize and take away any such ticket, wheresoever the same may be found, in order to deliver the same to the said registrar.

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Textual Amendments

F19 Words substituted by virtue of [Criminal Law Act 1977 \(c. 45, SIF 39:1\)](#), [s. 31\(5\)–\(9\)](#) and [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), [s. 46](#)

19 New tickets to be delivered instead of defaced or lost tickets.

Whenever the writing on any ticket shall become obliterated or defaced, so that the same shall not be distinctly legible, and also whenever any ticket shall be proved to the satisfaction of the said registrar to have been lost or mislaid, the person to whom the licence relating to any such ticket shall have been granted shall deliver such ticket (if he shall have the same in his possession) and shall produce such licence to the said registrar, and such person shall then be entitled to have a new ticket delivered to him, upon payment, for the use of her Majesty, of such sum of money, not exceeding [^{F20}15p], as the registrar shall from time to time appoint: Provided always, that if any ticket which shall have been proved as aforesaid or represented to have been lost or mislaid shall afterwards be found the same shall forthwith be delivered to the said registrar; and every person into whose possession any such ticket as last aforesaid shall be or come who shall refuse or neglect for three days to deliver the same to the said registrar, and also every person licensed under the authority of this Act who shall use or wear the ticket granted to him after the writing thereon shall be obliterated, defaced, or obscured, so that the same shall not be distinctly legible, shall for every such offence forfeit the sum of [^{F21}level 1 on the standard scale].

Textual Amendments

F20 Words substituted by virtue of [Decimal Currency Act 1969 \(c. 19, SIF 10\)](#), [s. 10\(1\)](#)

F21 Words substituted by virtue of [Criminal Law Act 1977 \(c. 45, SIF 39:1\)](#), [s. 31\(5\)–\(9\)](#) and [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), [s. 46](#)

^{F22}20 Forgery of licence or ticket, or knowingly uttering a forged licence or ticket, a misdemeanor.

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Textual Amendments

F22 [S. 20](#) repealed by [Forgery and Counterfeiting Act 1981 \(c. 45, SIF 39:7\)](#), [Sch. Pt. I](#)

21 ^{X1}†Proprietor to retain the licence of drivers or conductors employed by him, and produce them in case of complaint.

Every proprietor of a hackney carriage ^{F23} . . . who shall permit or employ any licensed person to act as the driver ^{F23} . . . thereof shall require to be delivered to him, and shall retain in his possession, the licence of such driver or ^{F23} . . . while such driver or ^{F23} . . . shall remain in his service; and in all cases of complaint where the proprietor of a hackney carriage ^{F23} . . . shall be summoned to produce the driver ^{F23} . . . of such carriage before a justice of the peace he shall also produce the licence of such driver ^{F23} . . . if at the time of receiving the summons such driver ^{F23} . . . shall be in his service; and if any

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driver ^{F23} . . . complained of shall be adjudged guilty of the offence alleged against him the justice of the peace before whom he shall be convicted shall in every case endorse upon the licence of such driver ^{F23} . . . the nature of the offence, and the amount of the penalty inflicted; and every proprietor who shall neglect to require to be delivered to him, and to retain in his possession, the licence of any driver ^{F23} . . . during such period as such driver ^{F23} . . . shall remain in his service, or who shall refuse or neglect to produce such licence as aforesaid, shall for every such offence forfeit the sum of [^{F24}level 1 on the standard scale].

Editorial Information

X1 Unreliable marginal note.

Textual Amendments

F23 Words repealed by [Statute Law Repeals Act 1976 \(c. 16\)](#), [Sch. 1 Pt XVII](#)

F24 Words substituted by virtue of [Criminal Law Act 1977 \(c. 45, SIF 39:1\)](#), [s. 31\(5\)–\(9\)](#) and [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), [s. 46](#)

22 Magistrates to hear and determine disputes.

It shall be lawful for any justice of the peace to hear and determine all matters of complaint between any proprietor of a hackney carriage . . . ^{F25} and the driver . . . ^{F25} of the same respectively, and to order payment of any sum of money that shall appear to be due to either party for wages or for the earnings in respect of any such carriage, or on account of any deposit of money, and to order compensation to the proprietor in respect of damage or loss which shall have arisen through the neglect or default of any driver . . . ^{F25} to the property of his employer intrusted to his care, or in respect of any sum of money which such proprietor may have been lawfully ordered by a justice of the peace to pay, and which has been actually paid pursuant to such order, on account of the negligence or wilful misconduct of his driver . . . ^{F25}, and to order such compensation to either party in respect of any other matter of complaint between them as to such justice shall seem proper.

Textual Amendments

F25 Words repealed by [Statute Law Repeals Act 1976 \(c. 16\)](#), [Sch. 1 Pt XVII](#)

23 Agreements between drivers, &c. and proprietors as to earnings to be in writing.

Provided always, that it shall not be lawful, either in any court of law or before any justice of the peace, to enforce the payment of any sum of money claimed from any driver . . . ^{F26} by any proprietor on account of the earnings of any hackney carriage . . . ^{F26} unless under an agreement in writing which shall have been signed by such driver . . . ^{F26} in the presence of a competent witness; . . . ^{F27}.

Textual Amendments

F26 Words repealed by [Statute Law Repeals Act 1976 \(c. 16\)](#), [Sch. 1 Pt XVII](#)

F27 Words repealed by [Finance Act 1985 \(c. 54\)](#), [Sch. 27 Pt. IX](#)

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24 Proceedings with respect to licences on quitting service.

When any licensed driver . . . ^{F28} shall leave the service of any proprietor such proprietor shall, upon demand thereof, return to him his licence: Provided always, that if the said proprietor shall have any complaint against the said driver . . . ^{F28} it shall be lawful for such proprietor to retain the licence for any time not exceeding twenty-four hours after the demand thereof, and within that time to apply to the police court of the district in which the said proprietor shall dwell, or, if he shall dwell in the city of London or the liberties thereof, then to some justice of the said city, for a summons against him; and the said proprietor, at the time of applying for the summons, shall deposit the licence with the clerk of such police court or justice; and in case any proprietor who upon demand thereof shall have refused or neglected to deliver to any driver . . . ^{F28} his licence shall not within twenty-four hours, exclusive of Sunday or any day on which the police court shall not sit, apply for such summons, and deposit the licence as aforesaid, or shall not appear to prosecute his complaint at the time mentioned in the summons, it shall be lawful for such driver . . . ^{F28} to apply at the same police court, or to some justice as aforesaid, for a summons against such proprietor; and upon hearing and deciding the case the justice, if he shall think there was no just cause for detaining the licence, or that there has been needless delay on the part of the proprietor in bringing the matter to a hearing, shall have power to order the said proprietor to pay such compensation to the said driver . . . ^{F28} as the said justice shall think reasonable; . . . ^{F28} and the justice shall cause the licence to be delivered to the said driver . . . ^{F28}, unless any misconduct shall be proved against him, by reason whereof the justice shall think that such licence should be revoked or suspended; and so long as any proprietor shall neglect to apply for such summons and deposit the licence, after demand thereof, any justice of the peace may in like manner from time to time order compensation to be paid by him to the same driver . . . ^{F28}; and no proprietor shall, under any pretext or by virtue of any claim whatever, retain beyond the time aforesaid the licence of his driver . . . ^{F28}.

Textual Amendments

F28 Words repealed by [Statute Law Repeals Act 1976 \(c. 16\)](#), [Sch. 1 Pt XVII](#)

25 Licences may be revoked or suspended.

It shall be lawful for any justice of the peace before whom any driver, . . . ^{F29}, or waterman shall be convicted of any offence, whether under this Act or any other Act, if such justice in his discretion shall think fit, to revoke the licence of such driver, . . . ^{F29} or waterman, and also any other licence which he shall hold under the provisions of this Act, or to suspend the same for such time as the justice shall think proper, and for that purpose to require the proprietor, driver, . . . ^{F29}, or waterman in whose possession such licence and the ticket thereunto belonging shall then be to deliver up the same; and every proprietor, driver, . . . ^{F29}, or waterman who, being so required, shall refuse or neglect to deliver up such licence and any such ticket, or either of them, shall forfeit, so often as he shall be so required and refuse or neglect as aforesaid, the sum of [^{F30}level 1 on the standard scale]; and the justice shall forthwith send such licence and ticket to the registrar, who shall cancel such licence if it has been revoked by the justice, or, if it has been suspended, shall, at the end of the time for which it shall have been suspended, re-deliver such licence, with the ticket, to the person to whom it was granted.

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[^{F31}A magistrates' court that makes an order revoking or suspending any licence under this section may, if the court thinks fit, suspend the effect of the order pending an appeal against the order.]

Textual Amendments

- F29** Words repealed by [Statute Law Repeals Act 1976 \(c. 16\)](#), **Sch. 1 Pt XVII**
- F30** Words substituted by virtue of [Criminal Law Act 1977 \(c. 45, SIF 39:1\)](#), **s. 31(5)–(9)** and [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), **s. 46**
- F31** Words added by [Transport Act 1985 \(c. 67, SIF 126\)](#), s. 139(2), **Sch. 7 para. 2**

Modifications etc. (not altering text)

- C10** [S. 25](#) repealed so far as it relates to a waterman by [Statute Law Revision \(No. 2\) Act 1874 \(c. 96\)](#)

^{F32}**26**

Textual Amendments

- F32** [S. 26](#) repealed by [Revenue Act 1869 \(c. 14\)](#), **Sch. (E.)**

27 No person to act as driver of any carriage without the consent of the proprietor.

Every driver ^{F33} . . . authorized by any proprietor to act as driver of any hackney carriage, ^{F33} . . . , who shall suffer any other person to act as driver of such hackney carriage, ^{F33} . . . , without the consent of the proprietor thereof, and also every person, whether duly licensed or not, who shall act as driver ^{F33} . . . of any such carriage without the consent of the proprietor thereof, shall forfeit the sum of [^{F34}level 1 on the standard scale]; and every driver ^{F33} . . . charged with such offence who, when required by a justice of the peace so to do, shall not truly make known the name and place of abode of the person so suffered by him to act as driver ^{F33} . . . without consent of the proprietor, and also the number of the ticket of such person (if licensed), shall be liable to a further penalty of [^{F34}level 1 on the standard scale]; and it shall be lawful for any police constable, [^{F35}if necessary, to take charge of the carriage and every horse in charge of any person unlawfully acting as a driver and to deposit the same in some place of safe custody until the same can be applied for by the proprietor.]

Textual Amendments

- F33** Words repealed by [Statute Law Repeals Act 1976 \(c. 16\)](#), **Sch. 1 Pt XVII**
- F34** Words substituted by virtue of [Criminal Law Act 1977 \(c. 45, SIF 39:1\)](#), **s. 31(5)–(9)** and [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), **s. 46**
- F35** Words substituted by [Police and Criminal Evidence Act 1984 \(c. 60, SIF 95\)](#), s. 121(1), **Sch. 6 para. 4**

28 Punishment for furious driving, and wilful misbehaviour.

Every driver of a hackney carriage, ^{F36} . . . , who shall be guilty of wanton or furious driving, or who by carelessness or wilful misbehaviour shall cause any hurt or damage to any person or property being in any street or highway, and also every driver,

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^{F36} . . . , or waterman who during his employment shall be drunk, or shall make use of any insulting or abusive language, or shall be guilty of any insulting gesture or any misbehaviour, shall for every such offence forfeit the sum of [^{F37}level 1 on the standard scale]; or it shall be lawful for the justice before whom such complaint shall be brought, if in his discretion he shall think proper, instead of inflicting such penalty, forthwith to commit the offender to prison for any period not exceeding two calendar months, ^{F36} . . . ; and in every case where any such hurt or damage shall have been caused the justice, upon the hearing of the complaint, may adjudge, as and for compensation to any party aggrieved as aforesaid, a sum not exceeding ten pounds, and may order the proprietor of the hackney carriage ^{F36} . . . , the driver ^{F36} . . . of which shall have caused such hurt or damage, forthwith to pay such sum, and also such costs as shall have been incurred, and payment thereof may be enforced against such proprietor as any penalty or sum of money may be recovered under and by virtue of this Act; and any sum which shall be so paid by the proprietor shall in like manner be recovered in a summary way before a justice of the peace from the driver ^{F36} . . . through whose default such sum shall have been paid, upon proof of the payment thereof pursuant to the order of the justice, or it shall be lawful for the justice in the first instance to adjudge the amount of such compensation to be paid by such driver ^{F36} . . . to the party aggrieved.

Textual Amendments

F36 Words repealed by [Statute Law Repeals Act 1976 \(c. 16\)](#), [Sch. 1 Pt XVII](#)

F37 Words substituted by virtue of [Criminal Law Act 1977 \(c. 45, SIF 39:1\)](#), [s. 31\(5\)–\(9\)](#) and [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), [s. 46](#)

Modifications etc. (not altering text)

C11 [S. 28](#) repealed so far as it relates to a waterman by [Statute Law Revision \(No. 2\) Act 1874 \(c. 96\)](#)

^{F38}**29**

Textual Amendments

F38 [S. 29](#) repealed by [London Government Act 1963 \(c. 33\)](#), [Sch. 18 Pt. II](#)

^{F39}**30**

Textual Amendments

F39 [S. 30](#) repealed by [Statute Law \(Repeals\) Act 1976 \(c. 16\)](#), [Sch. 1 Pt. XVII](#)

^{F40}**31**

Textual Amendments

F40 [S. 31](#) repealed by [Statute Law Revision Act 1966 \(c. 5\)](#)

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^{F41}32

Textual Amendments

F41 S. 32 repealed by [Statute Law \(Repeals\) Act 1973 \(c. 39\)](#), [Sch. 1 Pt. VI](#)

33 ^{X2}†**Penalty on drivers of hackney carriages, or drivers or conductors of metropolitan stage carriages, for loitering or causing any obstruction, or plying for hire by making any noise, &c.**

Every driver of a hackney carriage who shall ply for hire elsewhere than at some standing or place appointed for that purpose, or who by loitering or by any wilful misbehaviour shall cause any obstruction in or upon any public street, road, or place, ^{F42} . . . , and every driver of a hackney carriage, whether hired or unhired, allowing any person beside himself, not being the hirer or a person employed by such hirer, to ride on the driving box, ^{F42} . . . , shall for every such offence forfeit the sum of [^{F43}level 1 on the standard scale].

Editorial Information

X2 Unreliable marginal note.

Textual Amendments

F42 Words repealed by [Statute Law Repeals Act 1976 \(c. 16\)](#), [Sch. 1 Pt XVII](#)

F43 Words substituted by virtue of [Criminal Justice Act 1967 \(c. 80, SIF 39:1\)](#), [Sch. 3 Pt. I](#) and [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), [ss. 38, 46](#)

Modifications etc. (not altering text)

C12 S. 33 modified by [S.I. 1987/1387 art. 4\(2\)](#)

^{F44}34

Textual Amendments

F44 [Ss. 34, 48](#) repealed by [Statute Law Revision \(No. 2\) Act 1874 \(c. 96\)](#)

35 †**Proprietors may be summoned to appear, and to produce the driver or conductor. In the case of proprietors failing so to do.**

When any complaint shall be made before any justice of the peace against the driver of any hackney carriage, . . . ^{F45}, for any offence committed by him against the provisions of this Act, or of the recited Act of his late Majesty, or of any order or regulations made in pursuance of this Act, it shall be lawful for such justice, if he shall think proper, forthwith to summon the proprietor of such carriage to produce before him, or such other justice of the peace as shall be then present, the driver . . . ^{F45} by whom such offence was committed, to answer such complaint; and in case such proprietor after being duly summoned shall fail to produce the driver . . . ^{F45}, it shall be lawful for the justice of the peace before whom such driver . . . ^{F45} should be produced (if he

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shall think fit) to proceed, in the absence of such driver . . . ^{F45}, to hear and determine the case in the same manner as if he had been produced, and to adjudge payment by the proprietor of any penalty or sum of money and costs in which the driver shall be convicted; and any sum of money which shall be so paid by the proprietor shall be recovered in a summary way from the driver . . . ^{F45} by whose default such sum shall have been paid, upon proof of payment thereof pursuant to the order of the justice, and upon proof of service of the notice herein-after mentioned: Provided always, that if the justice of the peace shall deem it proper it shall be lawful for him, when such proprietor shall fail to produce his driver . . . ^{F45}, without any satisfactory excuse to be allowed by such justice, to impose a fine of [^{F46}level 1 on the standard scale] upon such proprietor, and so from time to time as often as he shall be summoned in respect of such complaint, until he shall produce his driver . . . ^{F45}; and every proprietor so summoned to produce his driver . . . ^{F45} shall cause to be given to such driver . . . ^{F45}, or to be left at the abode specified in his licence, or (if such licence shall expire after the offence committed and before the hearing of the complaint) at his usual place of abode, a written notice of the time and place when and where such driver . . . ^{F45} shall be required to attend; and if such driver . . . ^{F45} shall not attend according to such notice, it shall be lawful for a justice of the peace to issue a warrant for his apprehension, and if after such notice any driver . . . ^{F45} shall, without a reasonable excuse to be allowed by the justice, neglect or refuse to attend at the time and place therein mentioned, or (having previously left the service of the proprietor so summoned as aforesaid) shall not at the time and place of his attendance produce his licence, he shall forfeit the sum of [^{F46}level 1 on the standard scale], and so from time to time as often as he shall so neglect or refuse.

Textual Amendments

F45 Words repealed by [Statute Law Repeals Act 1976 \(c. 16\)](#), [Sch. 1 Pt XVII](#)

F46 Words substituted by virtue of [Criminal Law Act 1977 \(c. 45, SIF 39:1\)](#), [s. 31\(5\)–\(9\)](#) and [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), [s. 46](#)

Modifications etc. (not altering text)

C13 Unreliable marginal note.

^{F47}**36,**
37.

Textual Amendments

F47 [Ss. 36, 37, 40–43, 45, 46](#), [Sch.](#) repealed by [Statute Law \(Repeals\) Act 1976 \(c. 16\)](#), [Sch. 1 Pt. XVII](#)

38 Complaints to be made within seven days.

All complaints under the provisions of the London Hackney Carriage Act, 1831, or of this Act, or of the orders and regulations made in pursuance of either of them, ^{F48} . . . , shall be made within seven days next after the day on which the cause of complaint shall have arisen.

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Textual Amendments

F48 Words repealed by [Statute Law Repeals Act 1976 \(c. 16\)](#), [Sch. 1 Pt XVII](#)

39 Justices may hear complaints and award penalties. In case of nonpayment the party may be imprisoned. Proviso.

It shall be lawful for any justice of the peace to hear and determine all complaints under the provisions of this Act or of the ^{M2}London Hackney Carriage Act, 1831, and to adjudge the payment of any penalty or of any sum of money under either of the said Acts, or of the orders and regulations made pursuant to either of them, and to order payment of the same, with or without costs, either immediately, or at such time and place, and by such instalments, as he shall think fit; ^{F49} . . .

Textual Amendments

F49 Words repealed by [Statute Law Repeals Act 1976 \(c. 16\)](#), [Sch. 1 Pt XVII](#)

Marginal Citations

M2 [1831 c. 22](#).

^{F50} **40**—
43

Textual Amendments

F50 [Ss. 36, 37, 40–43, 45, 46, Sch.](#) repealed by [Statute Law \(Repeals\) Act 1976 \(c. 16\)](#), [Sch. 1 Pt. XVII](#)

44 Providing for cases where there are more proprietors than one.

In every case where there shall be more than one proprietor of any hackney carriage ^{F51} . . . it shall be sufficient, in any information, summons, order, conviction, warrant, or any other proceeding under the provisions of this Act, or of the London Hackney Carriage Act, 1831, to name one of such proprietors without reference to any other or others of them, and to describe and proceed against him as if he were sole proprietor.

Textual Amendments

F51 Words repealed by [Statute Law Repeals Act 1976 \(c. 16\)](#), [Sch. 1 Pt XVII](#)

^{F52} **45**,
46.

Textual Amendments

F52 [Ss. 36, 37, 40–43, 45, 46, Sch.](#) repealed by [Statute Law \(Repeals\) Act 1976 \(c. 16\)](#), [Sch. 1 Pt. XVII](#)

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47 Limitation of actions. Venue. Notice of action. Tender of amends.

All actions and prosecutions which shall be brought or commenced against any person for anything done under the authority of this Act, or of such orders and regulations as aforesaid, shall be commenced and prosecuted within three calendar months next after the fact committed, and not afterwards, and shall be brought and tried in the city of London or the county of Middlesex, and not elsewhere; and notice in writing of such action and of the cause thereof shall be given to the defendant one calendar month at least before the commencement of the action; and if the cause of action shall appear to arise from any matter or thing done by the authority of this Act or of any such orders and regulations as aforesaid, or if any such action shall be brought after the expiration of such three calendar months, or shall be brought in any other county or place than as aforesaid, or if notice of such action shall not have been given in manner aforesaid, or if tender of sufficient amends shall have been made before such action commenced, or if a sufficient sum of money shall have been paid into court after such action commenced, by or on behalf of the defendant, the jury shall find a verdict for the defendant; ^{F53} . . .

Textual Amendments

F53 Words repealed by [Administration of Justice Act 1965 \(c. 2, SIF 37\)](#), **Sch. 2**

Modifications etc. (not altering text)

C14 [S. 47](#) repealed as to certain proceedings by [Public Authorities Protection Act 1893 \(c. 61\)](#), **Sch.**

^{F54}**48**

Textual Amendments

F54 [Ss. 34, 48](#) repealed by [Statute Law Revision \(No. 2\) Act 1874 \(c. 96\)](#)

SCHEDULE

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^{F55}SCHEDULE

Textual Amendments

F55 Ss. 36, 37, 40–43, 45, 46, Sch. repealed by Statute Law (Repeals) Act 1976 (c. 16), **Sch. 1 Pt. XVII**

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