
STATUTORY INSTRUMENTS

1998 No. 1946

DEREGULATION

The Deregulation (Taxis and Private Hire Vehicles) Order 1998

Made - - - - 8th August 1998

Coming into force in accordance with Article 1

Whereas:

- (a) the Secretary of State is of the opinion that certain provisions of the Local Government (Miscellaneous Provisions) Act 1976(1) impose burdens affecting persons in the carrying on of a trade, business or profession or otherwise and that by amending or repealing the provisions concerned it is possible to remove or reduce the burdens concerned without removing any necessary protection;
- (b) he has consulted such organisations as appear to him to be representative of interests substantially affected by his proposals and such other persons as he considers appropriate;
- (c) it appears to the Secretary of State that it is appropriate, following that consultation, to proceed with the making of this Order;
- (d) a document setting out the Secretary of State's proposals has been laid before Parliament as required by section 3 of the Deregulation and Contracting Out Act 1994(2) and the period for Parliamentary consideration under section 4 has expired;
- (e) the Secretary of State has had regard to the representations made during that period;
- (f) a draft of this Order has been laid before Parliament with a statement giving details of such representations and the changes to the Secretary of State's proposals in the light of those representations; and
- (g) a draft of this Order has been approved by resolution of each House of Parliament:

Now, therefore, the Secretary of State, in exercise of the powers conferred by section 1 of the Deregulation and Contracting Out Act 1994, hereby makes the following Order:—

Citation and commencement

1. This Order may be cited as the Deregulation (Taxis and Private Hire Vehicles) Order 1998 and shall come into force 28 days after the day on which it is made.

(1) 1976 c. 57.
(2) 1994 c. 40.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Qualifications for drivers of private hire vehicles

2. In section 51 of the Local Government (Miscellaneous Provisions) Act 1976 (licensing of drivers of private hire vehicles), in subsection (1) as inserted by the Driving Licences (Community Driving Licence) Regulations 1996(3), in paragraph (b) after “section 99A(1)” there shall be inserted “or section 109(1)”(4).

Qualifications for drivers of taxis

3. In section 59 of the Local Government (Miscellaneous Provisions) Act 1976 (qualifications for drivers of hackney carriages), in subsection (1A) as inserted by the Driving Licences (Community Driving Licence) Regulations 1996(5), in paragraph (b) after “section 99A(1)” there shall be inserted “or section 109(1)”.

Signed by authority of the Secretary of State

Glenda Jackson
Parliamentary Under Secretary of State,
Department of the Environment, Transport and
the Regions

8th August 1998

(3) S.I.1996/1974 (hereinafter in these footnotes referred to as “the 1996 Regulations”). Section 51 was amended by paragraph 2 of Schedule 4 to the 1996 Regulations, by the substitution of a new subsection (1)(b) and the insertion of a new subsection (1) after subsection (1A). Subsection (1A) was inserted by section 47(1) of the Road Traffic Act 1991 (c. 40).

(4) Section 109(1) was amended by the Road Traffic (Driver Licensing and Information Systems) Act 1989 (c. 22), Schedule 3, paragraph 16.

(5) Section 59 was amended by paragraph 2 of Schedule 4 to the 1996 Regulations, by the substitution of a new subsection (1) (b) and the insertion of a new subsection (1A) after subsection (1) and before subsection (1A). Subsection (1A) was inserted by section 47(1) of the Road Traffic Act 1991.

EXPLANATORY NOTE

(This note is not part of the Order)

Section 51 of the Local Government (Miscellaneous Provisions) Act 1976 precludes the granting of a licence to drive a private hire vehicle in England (excluding London) or Wales except to an applicant who holds, and has held for at least a year, an appropriate driving licence. Such a licence is either a full licence granted under Part III of the Road Traffic Act 1988 or a licence issued by another state in the European Economic Area. This Order amends Section 51 so as to give equal recognition to a Northern Ireland driving licence. Section 59, which makes equivalent provision with regard to a licence to drive a taxi (a “hackney carriage”) is similarly amended.