



Local Government (Miscellaneous Provisions) Act 1976

1976 CHAPTER 57

PART II

HACKNEY CARRIAGES AND PRIVATE HIRE VEHICLES

80 Interpretation of Part II.

- (1) In this Part of this Act, unless the subject or context otherwise requires—
- “the Act of 1847” means the provisions of the ^{M1}Town Police Clauses Act 1847 with respect to hackney carriages;
 - “the Act of 1936” means the ^{M2}Public Health Act 1936;
 -^{F1}
 - “authorised officer” means any officer of a district council authorised in writing by the council for the purposes of this Part of this Act;
 - “contravene” includes fail to comply;
 - “controlled district” means any area for which this Part of this Act is in force by virtue of a resolution passed by a district council under section 45 of this Act;
 - “daily fine” means a fine for each day during which an offence continues after conviction thereof;
 - “the district”, in relation to a district council in whose area the provisions of this Part of this Act are in force, means—
 - (a) if those provisions are in force throughout the area of the council, that area; and
 - (b) if those provisions are in force for part only of the area of the council, that part of that area;
 - “driver’s badge” means, in relation to the driver of a hackney carriage, any badge issued by a district council under byelaws made under section 68 of the Act of 1847 and, in relation to the driver of a private hire vehicle, any badge issued by a district council under section 54 of this Act;

Status: Point in time view as at 08/07/1996. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Local Government (Miscellaneous Provisions) Act 1976, Section 80. (See end of Document for details)

“driver’s licence” means, in relation to the driver of a hackney carriage, a licence under section 46 of the Act of 1847 and, in relation to the driver of a private hire vehicle, a licence under section 51 of this Act;

“hackney carriage” has the same meaning as in the Act of 1847;

“hackney carriage byelaws” means the byelaws for the time being in force in the controlled district in question relating to hackney carriages;

[^{F2}“London cab” means a vehicle which is a hackney carriage within the meaning of the Metropolitan Public Carriage Act ^{M3}1869;]

“operate” means in the course of business to make provision for the invitation or acceptance of bookings for a private hire vehicle;

“operator’s licence” means a licence under section 55 of this Act;

“private hire vehicle” means a motor vehicle constructed or adapted to seat [^{F3}fewer than nine passengers], other than a hackney carriage or public service vehicle [^{F4}or a London cab][^{F5}or tramcar], which is provided for hire with the services of a driver for the purpose of carrying passengers;

“proprietor” includes a part-proprietor and, in relation to a vehicle which is the subject of a hiring agreement or hire-purchase agreement, means the person in possession of the vehicle under that agreement;

“public service vehicle” has the same meaning as in [^{F6}the ^{M4} Public Passenger Vehicles Act 1981];

“taximeter” means any device for calculating the fare to be charged in respect of any journey in a hackney carriage or private hire vehicle by reference to the distance travelled or time elapsed since the start of the journey, or a combination of both; and

“vehicle licence” means in relation to a hackney carriage a licence under sections 37 to 45 of the Act of 1847 [^{F7}in relation to a London cab a licence under section 6 of the Metropolitan Public Carriage Act 1869]and in relation to a private hire vehicle means a licence under section 48 of this Act.

- (2) In this Part of this Act references to a licence, in connection with a controlled district, are references to a licence issued by the council whose area consists of or includes that district, and “licensed” shall be construed accordingly.
- (3) Except where the context otherwise requires, any reference in this Part of this Act to any enactment shall be construed as a reference to that enactment as applied, extended, amended or varied by, or by virtue of, any subsequent enactment including this Act.

Textual Amendments

- F1** Definition repealed by [Road Traffic \(Consequential Provisions\) Act 1988 \(c. 54, SIF 107:1\)](#), ss. 3(1)(2), 5, [Sch. 1 Pt. I, Sch. 4 paras. 1, 2](#)
- F2** Definition inserted by [Transport Act 1985 \(c. 67, SIF 126\)](#), s. 139(2), [Sch. 7 para. 173\(a\)](#)
- F3** Words substituted by [Transport Act 1980 \(c. 34, SIF 107:1\)](#), s. 43(1), [Sch. 5](#)
- F4** Words inserted by [Transport Act 1985 \(c. 67, SIF 126\)](#), s. 139(2), [Sch. 7 para. 17\(3\)\(b\)](#)
- F5** Words in s. 80(1) inserted (8.7.1996) by [Transport and Works Act 1992 \(c. 42\)](#), s. 62(3); S.I. 1996/1609, art. 2, [Sch.](#)
- F6** Words substituted by virtue of [Transport Act 1980 \(c. 34, SIF 107:1\)](#), s. 43(1), [Sch. 5](#) and [Public Passenger Vehicles Act 1981 \(c.14, SIF 107:1\)](#), s. 88(2), [Sch. 7 para. 20](#)
- F7** Words inserted by [Transport Act 1985 \(c. 67, SIF 126\)](#), s. 139(2), [Sch. 7 para. 17\(3\)\(c\)](#)

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Changes to legislation: There are currently no known outstanding effects for the Local Government (Miscellaneous Provisions) Act 1976, Section 80. (See end of Document for details)

Marginal Citations

M1 1847 c. 89.

M2 1936 c. 49.

M3 1869 c.115 (107:1)

M4 1981 c. 14

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