

2012 No. 313 (C. 28)

ROAD TRAFFIC AND VEHICLES

**The Taxis (2008 Act) (Commencement No. 2) Order (Northern
Ireland) 2012**

Made - - - -

7th August 2012

The Department of the Environment makes the following Order in exercise of the powers conferred by section 59 of the Taxis Act (Northern Ireland) 2008(a).

Citation and interpretation

1.—(1) This Order may be cited as the Taxis (2008 Act) (Commencement No.2) Order (Northern Ireland) 2012.

(2) In this Order “the Act” means the Taxis Act (Northern Ireland) 2008.

Appointed Day

2.—(1) The day appointed for the coming into operation of the provisions of the Act specified in Part 1 of the Schedule for the purpose only of making regulations, is 8th August 2012.

(2) The day appointed for the coming into operation of the provisions of the Act specified in Part 2 of the Schedule is, 1st September 2012.

Sealed with the Official Seal of the Department of the Environment on 7th August 2012



Stanley Duncan
A senior officer of the
Department of the Environment

SCHEDULE

Article 2

PART 1

Provisions coming into operation on 8th August 2012 for the purpose only of making Regulations

| <i>Provisions of the Act</i> | <i>Subject Matter</i> |
|------------------------------|------------------------------------|
| Section 1 | Requirement for operator's licence |
| Section 2 | Operator's licences |
| Section 3 | Duties of licensed operators, etc. |
| Section 28 | Variation of licence on request |
| Section 30 | Fees |
| Section 33 | Register of licences |

PART 2

Provisions coming into operation on 1st September 2012

| <i>Provisions of the Act</i> | <i>Subject Matter</i> |
|--|---|
| Section 1 in so far as not already in operation | Requirement for operator's licence |
| Section 2 in so far as not already in operation | Operator's licences |
| Section 3 in so far as not already in operation | Duties of licensed operators, etc. |
| Section 4 | Hirings accepted on behalf of another operator |
| Section 25 | Applications for licences, etc. |
| Section 26 | Power to suspend, revoke or curtail licences |
| Section 27 | Suspension, revocation and curtailment under Section 26: procedure etc. |
| Section 28 in so far as not already in operation | Variation of licence on request licence |
| Section 29 | Variation of operator's licence by Department |
| Section 30 in so far as not already in operation | Fees |
| Section 31 | Production of documents |
| Section 32 | Return of licences, etc. |
| Section 33(1)(a), (c) to (e) and (2) in so far as not already in operation | Register of licences |
| Section 34 | Appeals |

| | |
|--|---|
| Section 35 | Effect of appeal on decision appealed against |
| Section 37 | Enforcement notices |
| Section 38 | Powers of entry |
| Section 44 | False statements, forgery and power of seizure in connection with certain documents |
| Section 45 | Obstruction of authorised officers etc. |
| Section 46 | Offences due to fault of other person |
| Section 47 | Offences by corporations |
| Section 48 and Schedule 1 relating to offences under the following sections— Section 1(3) Operating a taxi service without an operator’s licence, Section 3(5) Knowingly keeping or making false records etc, Section 3(10) Operating a taxi service in respect of unlicensed taxi or in respect of taxi driven by unlicensed driver, Section 3(11) Contravention of other operator’s duties, Section 4(2) Sub-contracting work to a non-licensed operator, Section 31(5) Failure to produce documents etc., Section 32(6) Failure to comply with requirement or direction to return licence, plate, etc. or badge, Section 37(3) Failure to comply with an enforcement notice, Section 44(1) Knowingly etc. to make false statement or furnish false information, Section 44(2) Forging, possessing, documents, etc. with intent to deceive, Section 45(1) Obstruction of constable or authorised officer, Section 45(2) Failure to comply with requirement of constable or authorised officer or failure to give a constable or authorised officer assistance or information, Section 45(3) Knowingly to make a false statement to authorised officer or constable. | Offences |
| Section 50 | Publication of information |
| Section 53 | Service of notices |

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into operation on 8th August 2012 provisions of the Taxis Act (Northern Ireland) 2008 (“the Act”) specified in Part 1 of the Schedule for the purpose only of making regulations, and brings into operation on 1st September 2012 the provisions of the Act specified in Part 2 of that Schedule.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The following provisions of the Taxis Act (Northern Ireland) 2008 have been brought into operation by commencement order made before the date of this Order.

| <i>Provision</i> | <i>Date of Commencement</i> | <i>S.R. No.</i> |
|------------------|-----------------------------|----------------------------|
| Section 21 | 23rd November 2009 | S.R. 2009 No.352 (C.25) |

Section 40

Section 54(1) insofar as it relates to the power in Article 65 of the Road Traffic (Northern Ireland) Order 1981^(a) to make bye-laws the provisions of which are, or could be, included in an order under Article 27A of the Road Traffic Regulation (Northern Ireland) Order 1997^(b), (4) and (5)

Schedule 2, paragraphs 1, 6(a), 11, 12 and 13(a) and section 58(1) insofar as it relates to those paragraphs

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- (a) S.I.1981/154 (N.I.)
(b) S.I.1997/276 (N.I.2)

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