STATUTORY RULES OF NORTHERN IRELAND

2015 No. 393

ROAD TRAFFIC AND VEHICLES

The Taxi Licensing Regulations (Northern Ireland) 2015

Made - - - - 2nd December 2015

Coming into operation in accordance with Regulation 1

The Department of the Environment makes the following Regulations in exercise of the powers conferred by sections 13(2), (3) and (5), 15(2), 19(1), 20, 30(1) and (2), 56(1) and 57(1) of the Taxis Act (Northern Ireland) 2008 [F1].

F1 2008 c.4 (N.I.)

PART 1

Preliminary

Citation and commencement

1.—(1) These Regulations may be cited as the Taxi Licensing Regulations (Northern Ireland) 2015 and, subject to paragraph (2), shall come into operation on 31st May 2016.

(2) Regulations 1 to 3 and Schedule 1, insofar as that Schedule relates to those regulations, shall come into operation on 9th May 2016.

Interpretation

2.—(1) In these Regulations—

"the Act" means the Taxis Act (Northern Ireland) 2008;

"the Interpretation Act" means the Interpretation Act (Northern Ireland) 1954 [F2];

"the 1967 Act" means the Transport Act (Northern Ireland) 1967 [F3];

"the 1988 Act" means the Road Traffic Act 1988 [F4];

"the 2011 Act" means the Transport Act (Northern Ireland) 2011 [F5];

"approved M1 vehicle" means a vehicle which is issued with—

(a) an EC certificate of conformity under Directive 2007/46/EC[F6];

(aa) **[**F7an EU certificate of conformity under Regulation (EU) 2018/858;**]**

(b) a certificate of conformity in compliance with regulations made under the 1981 Order or the 1988 Act;

(c) a single vehicle approval certificate in compliance with regulations made under the 1981 Order or the 1988 Act; or

(d) an individual vehicle approval certificate in compliance with the Road Vehicles (Approval) Regulations 2009 **[**F8or the Road Vehicles (Approval) Regulations 2020**]**F9;

"boarding lift" means a lift fitted to a taxi for the purposes of allowing wheelchair users to board and alight from the vehicle;

"boarding ramp" means a ramp fitted to a taxi for the purposes of allowing wheelchair users to board and alight from the vehicle;

"centre" means a centre provided and maintained by the Department under Article 73 of the 1995 Order;

"the Construction and Use Regulations" means the Motor Vehicles (Construction and Use) Regulations (Northern Ireland) 1999 F10;

"Directive 2007/46/EC" means Directive 2007/46/EC of the European Parliament and of the Council of 5th September 2007 establishing a framework for the approval of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles;

"entrance" means any aperture or space provided to enable passengers to board the vehicle;

"executive service" has the same meaning as in regulation 2 of the Taxi Operators Licensing Regulations F11;

"exit" means any aperture or space provided to enable passengers to leave the vehicle;

"first used" has the same meaning as in regulation 2(4) of the Construction and Use Regulations;

"heavy motor car" has the same meaning as in regulation 2(1) of the Construction and Use Regulations;

"maximum gross weight" has the same meaning as in regulation 2(1) of the Construction and Use Regulations;

"permanent top" means any covering of a vehicle other than a hood made of canvas or other flexible material which is capable of being readily folded back so that no portion of such hood or any fixed structure of the roof remains vertically above any part of any seat of the vehicle;

"portable ramp" means a ramp which is carried on a taxi for the purposes of allowing wheelchair users to board and alight from the vehicle;

"public service vehicle licence" means a licence granted under Article 61(1) of the 1981 Order;

"the Public Service Vehicles Regulations" mean the Public Service Vehicles Regulations (Northern Ireland) 1985 F12;

[F13"Regulation (EU) 2018/858" means Regulation (EU) 2018/858 of the European Parliament and of the Council of 30 May 2018 on the approval and market surveillance of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles;**]**

"the Taximeters Regulations" means the Taxis (Taximeters, Devices and Maximum Fares) Regulations (Northern Ireland) 2015 F14;

"the Taxi Operators Licensing Regulations" means the Taxi Operators Licensing Regulations (Northern Ireland) 2012 [F15]; and

"tour service" has the same meaning as in regulation 2 of the Taxi Operators Licensing Regulations [F16].

(2) For the purposes of regulation 6, section 39(2) to (7) of the Interpretation Act does not apply.

(3) For the purposes of regulations 5(3) and 10(2), section 39(8) of the Interpretation Act applies with the substitution of " Easter Tuesday " for "Good Friday".

F2 1954 c.33 (N.I.)
F3 1967 c.37 (N.I.)
F4 1988 c. 52
F5 2011 c. 11
F6 O.J. No. L 263, 9. 10. 2007, p. 1
F7 Words in reg. 2(1) inserted (1.9.2020) by The Road Vehicles (Approval) Regulations 2020 (S.I. 2020/818), reg. 1(b), **Sch. 6 para. 30(2)(a)(i)** (with Sch. 4 paras. 16, 17)
F8 Words in reg. 2(1) inserted (1.9.2020) by The Road Vehicles (Approval) Regulations 2020 (S.I. 2020/818), reg. 1(b), **Sch. 6 para. 30(2)(a)(ii)** (with Sch. 4 paras. 16, 17)
F9 S.I. 2009/717
F10 S.R. 1999 No.454
F11 The definition of "executive service" is inserted by regulation 2(2) of S.R. 2015 No. 395
F12 S.R. 1985 No.123
F13 Words in reg. 2(1) inserted (1.9.2020) by The Road Vehicles (Approval) Regulations 2020 (S.I. 2020/818), reg. 1(b), **Sch. 6 para. 30(2)(b)** (with Sch. 4 paras. 16, 17)
F14 S.R. 2015 No. 394
F15 S.R. 2012 No. 316; the relevant amending Regulations are S.R. 2015 No. 395
F16 The definition of "tour service" is inserted by regulation 2(2) of S.R. 2015 No. 395

PART 2

Taxi licences

Application for a taxi licence

3. The owner of a taxi shall, on making an application for a taxi licence under section 13(1) of the Act (taxi licences), pay to the Department the appropriate fee specified in column (2) of Schedule 1.

[F17Automatic renewal of licences

3A.—[F18(1) Paragraph (2) applies where a taxi licence granted in respect of a taxi before 10th October 2020 has expired in the period beginning with 9th March 2020 and ending with 31st May 2021.**]**

(2) The Department may grant a taxi licence in respect of the taxi (an "automatic renewal licence") as if—

(a) an application had been made for a taxi licence in respect of the taxi;

(b) the licence applied for were of the same Class as the licence mentioned in paragraph (1); and

(c) the Department were satisfied as required by section 13(3)(b) of the Act and regulation 7(1) or (2).**[F19** ,

provided that the aggregate period for which any consecutive automatic renewal licences are granted shall not exceed 12 months for any taxi**]**

(3) An automatic renewal licence granted in respect of a taxi has effect for the purposes of the Act (and these Regulations) as if it had been granted on an application and after inspection of the taxi.

(4) An automatic renewal licence is subject to the conditions specified in Schedule 1A in addition to the conditions specified in regulation 11.**]**

F17 Reg. 3A inserted (10.4.2020) by The Taxi Licensing (Amendment) (Coronavirus) Regulations (Northern Ireland) 2020 (S.R. 2020/64), regs. 1(1), **2(2)**
F18 Reg. 3A(1) substituted (7.9.2020) by The Taxi Licensing (Amendment No. 2) (Coronavirus) Regulations (Northern Ireland) 2020 (S.R. 2020/190), regs. 1(1), **2(2)**
F19 Words in reg. 3A(2) inserted (7.9.2020) by The Taxi Licensing (Amendment No. 2) (Coronavirus) Regulations (Northern Ireland) 2020 (S.R. 2020/190), regs. 1(1), **2(3)**

Inspection of taxi

4.—(1) On notification by the Department, the applicant **[**[F20]shall**]** present the taxi for inspection and testing by a vehicle examiner at the time and centre specified in the notice, together with the—

(a) registration document;

(b) most recent licence, plate or sign, if any; and

(c) certificate of a valid policy of insurance.

(2) The inspection of the taxi shall include inspection of the items listed in Schedule 2 as applicable to the taxi being inspected.

(3) The vehicle examiner shall not be obliged to carry out the inspection where—

(a) the taxi is not presented at the time and centre notified to the applicant;

(b) on presentation of a taxi for inspection the applicant does not produce the items specified in paragraph (1);

(c) the information provided on the application form is found to be substantially incorrect;

(d) the taxi, or any part of, or any equipment of, the taxi is so dirty as to make it unreasonably difficult for the inspection to be carried out in accordance with the provisions of these Regulations;

(e) the taxi emits substantial quantities of avoidable smoke; or

(f) a failure of a part of the taxi renders it incapable of being moved in safety under its own power.

F20 Word in reg. 4(1) substituted (31.5.2016) by The Taxi Licensing (Amendment) Regulations (Northern Ireland) 2016 (S.R. 2016/140), regs. 1, **2(2)**

Classes of use

5.—(1) For the purposes of section 13(2) of the Act the prescribed classes of use for which a taxi licence may be granted are specified in the Table.

Table

Column (1) Class of licence	*Column (2) Permitted use*
A	(a) (a) in the Belfast Zone—

	(i) plying for hire or reward only on the days and hours specified in regulation 6; and (ii) carrying passengers for hire or reward; and (b) outside the Belfast Zone— (i) plying for hire or reward; (ii) carrying passengers for hire or reward; and (iii) standing at taxi stands.
B	(a) (a) plying for hire or reward; (b) carrying passengers for hire or reward; and (c) standing at taxi stands.
C	carrying passengers for hire or reward.
D	carrying passengers for hire or reward only when the taxi— (a) is listed on a road service licence granted under Part II of the 1967 Act and used in accordance with that licence; or (b) is used in accordance with a service permit issued under Part 1 of the 2011 Act.

(2) In this regulation—

"Belfast Zone" means the area and roads highlighted in pink on the map; and

"the map" means the map marked "with reference to the Taxi Licensing Regulations (Northern Ireland) 2015." and signed, dated and sealed on the date when these Regulations are made.

(3) The map is available for inspection, at the Department of the Environment, Clarence Court, 10-18 Adelaide Street, Town Parks, Belfast BT1 8GB between 09.30 and 16.00 each day, Monday to Friday, with the exception of public holidays.

Class A permitted use in Belfast Zone – days and hours

6. The days and hours specified for the purposes of the permitted use of a Class A licensed taxi in the Belfast Zone, referred to in column (2) of the Table in regulation 5(1), are—

(a) every Friday and Saturday from 23.59 until 06.00 in the morning of the following day;

(b) from 23.59 on the day preceding a public holiday until 06.00 in the morning of the day of the public holiday; and

(c) from 23.59 on the day of the public holiday until 06.00 in the morning of the day following the public holiday.