

TO ALL TAXI OPERATORS

The purpose of this letter is to provide you with early notice that the Department for Infrastructure is proposing to amend the current Taxi Operator licensing regulations (The Taxi Operators Licensing Regulations (Northern Ireland) 2012) following the outcome of a number of Court rulings in England and Wales.

In summary these rulings provided clarity on the role of London Private hire vehicle (PHV) operators and the contract that they enter into with passengers.

For ease of reference you can view the rulings at: -

- [Uber BV and others \(Appellants\) v Aslam and others \(Respondents](#)
- [3290.pdf \(bailii.org\)](#) –para 57 is of particular importance – see summary below:

“..... in order to operate lawfully under the Private Hire Vehicles (London) Act 1998 a licensed operator who accepts a booking from a passenger is required to enter as principal into a contractual obligation with the passenger to provide the journey which is the subject of the booking.”

A further judgement in relation to the same issue can be found at [Uber Britannia Limited v Sefton Metropolitan Borough Council & Ors - Find case law \(nationalarchives.gov.uk\)](#)

The Department for Infrastructure has now fully considered the implications for Northern Ireland of the Court rulings concerning the Private Hire Vehicles (London) Act 1998. It has concluded that, similar to the 1998 Act, the Taxis Act (NI) 2008 requires a licensed operator who accepts a taxi booking to accept a contractual obligation (as principal) to the passenger to provide the journey. The Department therefore proposes to amend the Taxi Operator Licensing Regulations (NI) 2012 to clarify this contractual obligation.

In advance of the work being carried out by the Department all NI taxi operators may want to consider changes to their business model that will ensure they are aligned with the above requirement from the court judgment. This may include considering whether changes are required to written terms and conditions, the booking process and considering any other changes that may be required to operations to ensure regulatory compliance.

In the coming months the Department will start the work to amend the current legislation to make it a formal condition of the licensing process that operators must work to this model.

As work on this matter progresses, we will keep in contact with the taxi industry and we will issue guidance which will detail the steps businesses need to take to remain compliant when the legislative process has been finalised.

For any queries please contact vehicle.standards@infrastructure-ni.gov.uk