

## Taxis and Private Hire Right to Licence Fact Sheet

### What does the Immigration Act 2016 mean for taxi and private hire applicants?

The Immigration Act 2016 prevents people without lawful immigration status and the right to work in the UK (referred to as Right to Licence) from holding a taxi or private hire driver licence or a private hire operator licence.

Councils, by law, must carry out checks to make sure they do not issue a licence to people who do not have a Right to Licence. These are persons:

- Illegally present in the UK
- Not permitted to work in the UK
- Are permitted to work in the UK but are subject to a condition that prohibits them from holding such a taxi or private hire licence

### Who must have a Right to Licence check?

All nationalities, including UK citizens, who apply for a taxi or private hire driver licence or a private hire operator licence must have the Right to Licence check **before** a licence is granted. If you have both a driver and an operator licence, we will combine the check.

Taxi and private hire drivers and private hire operators will only need to have the Right to Licence check carried out once, unless, they have time-limited permission to be in the UK.

For those who have time-limited permission to be in the UK, the check must be repeated at each subsequent application to renew or extend the licence until such time as the applicant demonstrates that they are entitled to remain indefinitely in the UK, and as a result, there are no restrictions on their ability to work.

### Restrictions on Length of time you may work in the UK

If there are restrictions on the length of time you may work in the UK, your licence will not be issued for any longer than this period. In such circumstances the check will be repeated each time you apply to renew or extend your licence, if, during this period, you are disqualified from holding a licence because you have not complied with the UK's immigration laws, your licence will lapse and you must return it to the licensing authority. Failure to do so is a criminal offence.

### How will the Right to Licence check be done?

#### Manual Document-Based Check

Upon application you must provide us with a valid document from our list of acceptable documents, so we can check you have the Right to Licence.

You must show us original document(s) and bring them to the Council offices in person so that we can check your identity against the document(s) and check that they are genuine. The document(s) will be copied, and the copy retained by the Council. The original document will be returned to you.

## Online Checking Service

You can use this service to get a share code if you have:

- a biometric residence card or permit
- a UK Visas and Immigration (UKVI\*) account

\*You'll have a UKVI account if you've ever:

- applied to the EU Settlement Scheme
- used the 'UK Immigration: ID Check' app to prove your identity when applying for a visa
- created one when applying for a visa (you'll have received a UKVI account confirmation email)

For the online checking service use the following link <https://www.gov.uk/prove-right-to-work> . When you have finished you will be given a unique share code. You will need to share the code with the licensing team so that we can perform the check, please note you **must** be present when we perform the online check.

Where an online check has been carried out, the 'profile' page confirming your right to work will be copied and retained by the licensing authority.

## What Documents can I use for the Right to Licence check?

There is a full list of acceptable documents for Right to Licence checks on a separate sheet. You can find it on-line <https://www.stroud.gov.uk/business/licensing-permits/taxis-and-private-hire/licensing/apply-for-a-new-driver-operator-or-vehicle-licence/>

## What happens if I do not provide the Council with suitable documents?

**If you do not provide us with suitable documentation, you will not, by law, be issued a licence.**