

Important Information

To help drivers we have prepared this guidance note which we hope answers some of the questions which drivers might ask. This guidance is based on advice given by the Home Office and might be changed later if the Home Office advice changes.

What is happening?

From 1 December 2016 the Law about Licences over the whole of the United Kingdom will change. If you want to get a new Licence, or renew a Licence you already have, you will need to prove you have a 'right to work in the U.K.'. This is a change made by the Immigration Act 2016.

What documents do I need to show the Council?

This depends on who you are.

1. If you are a British Citizen we need **either**:
 - your current Passport, **or**
 - if you do not have a Passport, we need two documents together:
 - A **full** Birth Certificate or Adoption Certificate (not an 'abbreviated certificate') issued in the U.K. which includes the name(s) of at least one of your parents or adoptive parents, and
 - a document issued by a Government agency or a previous employer showing **both** your National Insurance number and your name (for example, a P45 or P60 tax certificate from an employer, or a letter from HMRC or DWP showing these details).
2. If you are a National of a "European Single Market" country, we need your Passport or National Identity Card.
3. If you are not in 1 or 2, we need your Passport and Visa or residence permit confirming your immigration status and right to work in the UK.

Can I use copy documents?

No. We need **original** documents - you cannot use photocopies.

When do I have to show the Council document(s)?

It depends on what you want.

- If you want a **new** Licence, you must show the Council documents **when** you apply for the Licence. If you do not prove your status then, we will not accept your Application.
- If you want to **renew** a Licence, you can lodge your renewal application before your current Licence expires (as at present), but you have 28 days after expiry to show the

Council document(s). The 28 day period cannot be extended. Your Application is likely to be refused if you do not give us the document(s) within 28 days.

I was born here and have always lived here - why do I have to prove anything?

The Law applies to everyone, so we are not allowed to miss anyone out of the checks. However, if you were born here and have always lived here then it will be easy to prove your status.

I already have a Licence. Do I need to do anything?

You do not have to do anything now, unless your Licence is due to expire soon. Your Licence will still be valid after the change in the Law, but we will need to see the documents when you next ask for renewal, even if you have had a Licence for years.

If your Licence is due to expire soon, **you should apply for renewal now**. Do not leave it till the last day of your Licence before you apply

- you will want the Council to accept your renewal Application before your current Licence expires.

- if you apply before 1 December, the new rules will not apply to you this time.

NAC have made a special arrangement for renewals. We can accept a renewal Application without the 'right to work' document(s) but you must give them to us no later than 28 days after your current Licence is due to expire. By Law this NAC arrangement cannot apply to applications for new Licences, so we need to see everything when you first apply.

If you give us the renewal Application without the 'right to work' document(s) then you can still drive, but by Law we must refuse to grant the renewal, so if you are allowed more time to get the document(s) then you should act quickly (for example, if you need a full Birth Certificate, you should order it soon).

Why is this change happening?

The Immigration Act 2016 made by the Westminster Parliament applies to the whole of the U.K.. It changes the Law in many ways, and one of the changes is that the Council is not allowed to grant or renew a Licence unless the person has a 'right to work in the U.K.'. The Act is being started in stages, and the Government have decided to apply the change to Taxi/PHC Driver's Licences first. The changes do not yet apply to Licences for Taxi/PHC Operators, Booking Offices or alcohol Licences, but the changes will be applied to some other kinds of Licence later.

Where can I get more information?

There is a lot of information on the Home Office website:

<https://www.gov.uk/contact-ukvi>

North Ayrshire Council, November 2016.