

EXPLANATORY MEMORANDUM TO

The Disabled Persons (Badges for Motor Vehicles) (Amendment) Regulations (Northern Ireland) 2010

S.R. 2010 No. 45

1. Introduction

- 1.1. This Explanatory Memorandum has been prepared by the Department for Regional Development to accompany the Statutory Rule (details above) which is laid before the Northern Ireland Assembly.
- 1.2. The Statutory Rule is made under sections 14(4A) and (7) and 14A(1) and (3) of the Chronically Sick and Disabled Persons (Northern Ireland) Act 1978 and is subject to the negative resolution procedure.

2. Purpose

- 2.1. The Statutory Rule amends the Disabled Persons (Badges for Motor Vehicles) Regulations (Northern Ireland) 1993 ("the 1993 Regulations"). The purpose of the amendment is to recognise disabled person's parking permits issued to persons in the Republic of Ireland for the purposes of the Disabled Persons Badge Scheme operated in Northern Ireland. This will enable the permit holder to avail of the same parking concessions available to Disabled Persons Badge holders in Northern Ireland. The amending Regulations also prescribe the circumstances and the manner in which a recognised badge may be displayed when the vehicle is being driven and when it is parked.

3. Background

- 3.1. The disabled persons badge scheme provides a national arrangement of parking concessions for persons with disabilities who have a mobility problem. In GB the Scheme is regulated by the Department for Transport, the Welsh Assembly and the Scottish Executive, and administered by local authorities, either through their Social Services or Highways department or a combination of both. In Northern Ireland the regulation and administration of the scheme is the responsibility of the Department for Regional Development (Roads Service) and the statutory basis for the scheme is sections 14 and 14A of the Chronically Sick and Disabled Person's (Northern Ireland) Act 1978.
- 3.2. The 1993 Regulations make provision, amongst other things, for the form of disabled persons' badges and the manner in which they are to be displayed. They also exempt vehicles displaying a disabled person's badge from certain provisions in statutory rules; the benefits are parking concessions and exemptions from the rules which apply to other vehicle users.
- 3.3. At present an informal arrangement exists whereby badges issued in Ireland are recognised in Northern Ireland. This Statutory Rule puts this arrangement on a statutory footing and prescribes the manner and circumstances in which recognised badges are to be displayed.

3.4. The Statutory Rule as laid is in line with the information provided to the Committee in the SL1.

4. Consultation

4.1. The Inclusive Mobility and Transport Advisory Committee (Imtac), Mobilise, Disability Action and the PSNI were consulted. Imtac and the PSNI advised that they had no objections. No other responses were received.

5. Equality Impact

5.1. Consideration has been given to compliance with Section 75 of the Northern Ireland Act 1998 and no equality issues have been identified by the Department.

6. Regulatory Impact

6.1. The Department does not consider that there is a need for a regulatory impact assessment.

7. Financial Implications

7.1. None.

8. Section 24 of the Northern Ireland Act 1998

8.1. Consideration has been given to compliance with Section 24 of the Northern Ireland Act 1998 and no human rights issues have been identified by the Department.

9. EU Implications

9.1. Not applicable.

10. Parity or Replicatory Measure

10.1. Not applicable.

11. Additional Information

11.1. Not applicable.