

EXPLANATORY MEMORANDUM TO

The Disabled Persons (Badges for Motor Vehicles) (Amendment No. 2) Regulations (Northern Ireland) 2016

S.R. 2016 No. 173

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 powers conferred by Section 14 of the Chronically Sick and Disabled Persons (Northern Ireland) Act 1978 and is subject to the negative resolution procedure.

2. Purpose

- 2.1. The Regulations amend the Disabled Persons (Badges for Motor Vehicles) Regulations (Northern Ireland) 1993 by changing the date for the introduction of the new form of the Blue Badge from '1st April 2016' to '1st April 2017'.

3. Background

- 3.1. The Department made The Disabled Persons (Badges for Motor Vehicles) (Amendment) Regulations (Northern Ireland) 2016 on 5th February 2016 to legislate the new form of badge with effect from 1 April 2016.
- 3.2. Regulation 3 and the Schedule were amended to implement the new Blue Badge design with effect from 1st April 2016.
- 3.3. Unfortunately the Department subsequently encountered issues / problems accessing the badge supplier as part of the development of a new data processing system for Blue Badges. In addition, to date, the Department for Transport (DfT) in London has not agreed to any of the mechanisms proposed that would allow Northern Ireland to join the contract. As a result the Department is no longer in a position to commence issue of the new form of the badge from 1st April 2016.
- 3.4. The Department therefore needs to amend its Regulations to allow the continued use of the existing paper based badge until such time as the new form of the badge is available and to ensure that the blue badge scheme can continue uninterrupted.
- 3.5. Although negotiations with the supplier and DfT are continuing, without the amendment no new badges could be issued or existing badges renewed after 1 April 2016.
- 3.6. Due to the urgent nature of this amendment and the need to have it in place by 1st April 2016 the "21 day rule" whereby there is a period of a minimum 21 days between the making of a statutory rule and its coming into operations cannot be adhered to in this instance.

4. Consultation

- 4.1. As the new form of the badge is intended solely to replace the existing paper based badge and does not affect the concessions available to a badge holder and its start date depends on its availability no consultation as regards the start date has been carried out.

5. Equality Impact

- 5.1. Consideration has been given to compliance with section 75 of the Northern Ireland Act 1998. No equality issues have been identified by the Department and no issues were raised following the Consultation.

6. Regulatory Impact

- 6.1. A Regulatory Impact Assessment was not considered necessary as the proposal does not result in any costs or savings to business, charities or the voluntary bodies.

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. No human rights issues have been identified by the Department and no issues were raised following the publication of the notice in the press.

9. EU Implications

- 9.1. Not applicable.

10. Parity or Replicatory Measure

- 10.1. Not applicable.

11. Additional Information

- 11.1. Not applicable.