

EXPLANATORY MEMORANDUM TO

The Disabled Persons (Badges for Motor Vehicles) (Amendment) Regulations (Northern Ireland) 2016

S.R. 2016 No. 30

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 prescribing a new form of a Blue Badge and increase the fee for a badge to £10.00 as part of its proposed administrative improvements to the Blue Badge service.

3. Background

- 3.1. The fee for a badge is being raised from £2.00 (which has applied since 1993) to £10.00. The fee is being raised, after consultation, to cover the costs of the new badge design and to cover administration costs more adequately from 1st April 2016.
- 3.2. The final figure for full-cost recovery is currently the subject of detailed review but is likely to be between £15.00 and £16.00 based on 2014/15 figures. It is proposed to move to a gradual increase in the fee and that the first increase should be to £10.00. This Regulation will bring into effect this first increase in the fee to £10.00.
- 3.3. The move to the new system is imperative, since the costs of the existing Blue Badge used in Northern Ireland are rising sharply. The current badge is supplied by The Stationary Office (TSO), who has advised that due to the move to the new system elsewhere in the UK, a number of the sub-contractors used to produce holograms, etc for the badges have ceased business. Although TSO has attempted to source alternative suppliers this would be at a much increased cost. It is clear that continuing with the existing badge would incur significantly increased costs.
- 3.4. The same printing facility is used by local authorities in England, Wales and Scotland for the processing of Blue Badges and currently Northern Ireland is the only region not using this service. It was designed to improve administration, combat fraud and misuse and assist enforcement.
- 3.5. Regulation 3 and the Schedule are being amended to implement the new Blue Badge design. The existing badge design is very easy to copy and to forge, and details such as the expiry date can be altered. A new design is being implemented for both individual and organisational badges, which

uses sophisticated technologies to ensure badges cannot be copied or forged, and details cannot be altered. The new badge design also includes raised text features, a hologram and has to be tested to withstand up to 120 degrees celsius. The new form of the badge is being specified in Part III of the Schedule in some detail.

- 3.6. Misuse of badges by someone other than the badge holder is currently a common offence. The written information contained on the badge has been changed to clarify the correct use of a badge. Part III of the Schedule will mean that an up to date photograph of the badge holder must be submitted and digitally scanned on the back of an individual badge, unless the issuing Department is satisfied that the holder is not expected to live beyond six months from the date of issue, to ensure the badge holder can be identified if necessary. The standards for photographs outlined in Part III of the Schedule are the same as those used for passports and driving licences.
- 3.7. These amendments are being made to mirror changes already made to Blue Badge regulations in England, Scotland and Wales.

4. Consultation

- 4.1. The proposals to increase the fee for a Blue Badge moving towards full cost recovery and to introduce a new format of the badge as part of its proposed administrative improvements to the Blue Badge service was part of the Department's public consultation carried out on the review of the Blue Badge Scheme in Northern Ireland in 2013. The Department published its response to the Consultation in March 2015, accepting most of the Recommendations and since that time has been progressing this work through two Projects.
- 4.2. Two of the recommendations of the public consultation were to increase the fee for a Blue Badge, moving towards full cost recovery for the provision of this service and to move to the same central database, Blue Badge design and issue as the rest of the United Kingdom.
- 4.3. The majority of respondents who expressed a preference were in favour of increasing the fee (with 12 in favour and 3 against the proposal).
- 4.4. Officials are also progressing the replacement Blue Badge IT Data Processing System and includes a range of objectives which should assist in streamlining the process including:— (i) The option of submitting renewal applications online; (ii) development of a link to the printing organisation used elsewhere in the United Kingdom for printing Blue Badges; (iii) improvement of the information available to NI Direct, to enable more telephone enquiries to be dealt with by call-handlers; and (iv) development of an online payment facility, to reduce the workload associated with handling cheques.

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.