
SCOTTISH STATUTORY INSTRUMENTS

2000 No. 59

The Disabled Persons (Badges for Motor Vehicles) (Scotland) Regulations 2000

PART II

ISSUE, DURATION AND REVOCATION OF BADGES

Return of badge to issuing authority

9.—(1) A disabled person's badge shall be returned to the issuing authority immediately on the occurrence of any of the following events, namely—

- (a) the expiry of the period for which the badge was issued;
- (b) the death of the holder or, in the case of an institutional badge, the institution ceasing to exist;
- (c) the holder of the badge ceases to be a disabled person or, in the case of an institutional badge, the institution ceases to be eligible under regulation 5;
- (d) a replacement badge has been issued under regulation 7 to replace a lost or stolen badge and that badge is subsequently found or recovered;
- (e) the badge has become so damaged or faded as no longer to be adequately legible when displayed on a vehicle;
- (f) the badge ceases to be required by the holder.

(2) Subject to the provisions of regulation 10, a disabled person's badge shall, within the prescribed period, be returned to the issuing authority if the authority gives to the holder a notice—

- (a) stating that the authority refuses to allow the badge to continue in use on account of its misuse leading to at least three relevant convictions and giving particulars of that misuse; or
- (b) stating that the authority is satisfied that the badge was obtained by false representation.

(3) For the purposes of paragraph (2) the prescribed period is—

- (a) where no appeal is made in accordance with regulation 10, the period of 28 days beginning with the day on which the notice under paragraph (2) was issued;
- (b) where any appeal is made in accordance with regulation 10(1) and the appeal is not allowed and no further appeal is made under regulation 10(11), the period of 28 days beginning with the day on which the Scottish Ministers give notice of their determination of the appeal;
- (c) where any appeal is made in accordance with regulation 10(11) and the appeal is not allowed, the period of 28 days beginning with the day on which the sheriff gives notice of his determination of the appeal.

(4) The issuing authority may take such action as may be appropriate to recover a disabled person's badge which the holder is liable to return in accordance with this regulation.