



Chronically Sick and Disabled Persons Act 1970

1970 CHAPTER 44

Miscellaneous provisions

21 Badges for display on motor vehicles used by disabled persons.

- (1) There shall be a badge of a prescribed form to be issued by local authorities for motor vehicles driven by, or used for the carriage of, disabled persons; and—
- (a) subject to the provisions of this section, the badge so issued for any vehicle or vehicles may be displayed on it or on any of them either inside or outside the area of the issuing authority; and
 - (b) any power under [^{F1}Part III of Schedule 9 to the Road Traffic Regulation Act 1984] to make regulations requiring that orders under the Act shall include exemptions shall be taken to extend to requiring that an exemption given with reference to badges issued by one authority shall be given also with reference to badges issued by other authorities.

[^{F2}(2) A badge may be issued to a disabled person of any prescribed description resident in the area of the issuing authority for one or more vehicles driven by him or used by him as a passenger.]

- (4) A badge may be issued to an institution concerned with the care of the disabled for any motor vehicle or, as the case may be, for each motor vehicle kept in the area of the issuing authority and used by or on behalf of the institution to carry disabled persons of any prescribed description; ^{F3}

[^{F4}(4A) A badge issued under this section may be displayed only in such circumstances and in such manner as may be prescribed.

- (4B) A person who drives a motor vehicle on a road (within the meaning of the Road Traffic Act 1988) at a time when a badge of a form prescribed under this section is displayed on the vehicle is guilty of an offence unless the badge is issued under this section and displayed in accordance with regulations made under it.

Status: Point in time view as at 02/03/1992. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Chronically Sick and Disabled Persons Act 1970, Section 21. (See end of Document for details)

- (4C) A person guilty of an offence under subsection (4B) above shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.]
- (5) A local authority shall maintain a register showing the holders of badges issued by the authority under this section, and the vehicle or vehicles for which each of the badges is held; ^{F5} . . .
- (6) A badge issued under this section shall remain the property of the issuing authority, shall be issued for such period as may be prescribed, and shall be returned to the issuing authority in such circumstances as may be prescribed.
- (7) Anything which is under this section to be prescribed shall be prescribed by regulations made by the Minister of Transport and Secretary of State by statutory instrument, which shall be subject to annulment in pursuance of a resolution of either House of Parliament; and regulations so made may make provision—
- (a) as to the cases in which authorities may refuse to issue badges, and as to the fee (if any) which an authority may charge for the issue or re-issue of a badge; and
 - (b) as to the continuing validity or effect of badges issued before the coming into force of this section in pursuance of any scheme having effect under section 29 of the ^{M1}National Assistance Act 1948 or any similar scheme having effect in Scotland; and
 - (c) as to any transitional matters, and in particular the application to badges issued under this section of orders made before [^{F6}the time when] it comes into force and operating with reference to any such badges as are referred to in paragraph (b) above (being orders made, or [^{F6}at that time] having effect as if made, under the ^{M2}Road Traffic Regulation Act 1967).
- [^{F7}(7A) Where the prescribed conditions are met in the case of any person, then—
- (a) if he applies to a local authority for the issue of a badge under this section, the authority may by notice refuse the application; and
 - (b) if he holds a badge issued under this section by the authority, the authority may by notice require him to return the badge to them.
- The conditions that may be prescribed for the purposes of this subsection are conditions relating to the misuse of badges issued under this section.
- (7B) A notice under subsection (7A) above may be given by post.
- (7C) A person whose application is refused under subsection (7A) above or who is required to return his badge under that subsection may, within the prescribed time, appeal to the Secretary of State who may confirm or reverse the decision of the local authority; and, if he reverses it, the authority shall issue a badge accordingly or, as the case may be, the requirement to return the badge shall cease to have effect.
- (7D) A badge which is required to be returned to the issuing authority by virtue of subsection (6) above may not be displayed on any vehicle; and a badge which is required to be so returned by virtue of a notice under subsection (7A) above shall be returned with the prescribed time and may not be displayed on any vehicle after that time.
- (7E) Regulations under this section may provide for the procedure to be followed in connection with appeals under subsection (7C) above; but the Secretary of State shall consult with the Council on Tribunals before making regulations that so provide.]

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Changes to legislation: There are currently no known outstanding effects for the Chronically Sick and Disabled Persons Act 1970, Section 21. (See end of Document for details)

- (8) The local authorities for purposes of this section shall be the common council of the City of London, the council of a county [^{F8}or Metropolitan district] . . . ^{F9} in England or Wales or of a London borough and the council of a [^{F10}region or islands area] in Scotland; and in this section “motor vehicle” has the same meaning as in the Road Traffic Regulation Act [^{F11}1984].
- (9) This section shall come into operation on such date as the Minister of Transport and Secretary of State may by order made by statutory instrument appoint.

Subordinate Legislation Made

- P1** S. 21: for previous exercises of powers see Index to Government Orders
P2 S. 21(9) power exercised: 1.12.1971 appointed for s. 21 by S.I. 1971/1491

Textual Amendments

- F1** Words in s. 21(1)(b) substituted by Road Traffic Regulation Act 1984 (c. 27, SIF 107:1), s. 146, **Sch. 13 para. 11(a)**
- F2** S. 21(2) substituted (1.10.1991) for s. 21(2)(3) by Road Traffic Act 1991 (c. 40, SIF 107:1), **ss. 35(2)**; S.I. 1991/2054, art. 3, **Sch.**
- F3** Words in s. 21(4) repealed (2.3.1992) by Road Traffic Act 1991 (c. 40, SIF 107:1), ss. 35(3), 83, **Sch.8**; S.I. 1992/199, **art.3(1)**
- F4** S. 21(4A)(4B)(4C) inserted (2.3.1992) by Road Traffic Act 1991 (c. 40, SIF 107:1), **s. 35(4)**; S.I. 1992/199, **art. 3(1)**
- F5** Words in s. 21(5) repealed (1.10.1991) by Road Traffic Act 1991 (c. 40, SIF 107:1), ss. 35(5), 83, **Sch. 8**; S.I. 1991/2054, art. 3, **Sch.**
- F6** Words in s. 21(7)(c) inserted by Road Traffic Regulation Act 1984 (c. 27, SIF 107:1), s. 146, **Sch. 13 para. 11(b)**
- F7** S. 21(7A)–(7E) inserted by Transport Act 1982 (c. 49, SIF 107:1), **s. 68**
- F8** Words in s. 21(8) inserted by Local Government Act 1985 (c. 51, SIF 81:1), s. 8, **Sch. 5 Pt. 1 para. 1**
- F9** Words in s. 21(8) repealed by Local Government Act 1972 (c. 70), **Sch. 30**
- F10** Words in s. 21(8) substituted by Local Government (Scotland) Act 1973 (c. 65), s. 133(1), **Sch. 14 para. 81**
- F11** “1984” substituted by Road Traffic Regulation Act 1984 (c. 27, SIF 107:1), s. 146, **Sch. 13 para. 11(c)**

Marginal Citations

- M1** 1948 c. 29.
M2 1967 c. 76.

Status:

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Changes to legislation:

There are currently no known outstanding effects for the Chronically Sick and Disabled Persons Act 1970, Section 21.