
STATUTORY INSTRUMENTS

2019 No. 891

**The Disabled Persons (Badges for Motor Vehicles)
(England) (Amendment) Regulations 2019**

Amendment of Regulations

2.—(1) The Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000⁽¹⁾ are amended in accordance with paragraphs (2) to (4).

(2) In regulation 2 (interpretation) in paragraph (1)—

(a) after the definition of “disabled person’s concession” insert—

““expert assessor” means a person (“person A”) who at the time of any assessment of another person (“person B”) for the purposes of the certification referred to in regulation 4(2)(f)—

(a) is recognised by the local authority to which the application for a disabled person’s badge is being made as having—

(i) a professional qualification recognised in the United Kingdom which enables them to diagnose, treat, or provide specialised therapeutic services to, persons with the same, or a similar, disability to person B’s disability; and

(ii) the necessary expertise to assess the presence, in person B, of any of the effects listed in regulation 4(2)(f)(i) to (iii) of these Regulations, resulting from person B’s disability, on person B’s capacity to walk during the course of a journey;

(b) is not employed or engaged as a general practitioner for the provision of medical services to person B; and

(c) is not, in the opinion of the local authority, precluded by reason of their relationship with person B from providing an impartial assessment of whether or not person B meets the description in regulation 4(2)(f);

For the purposes of this definition “general practitioner” means a person who holds a licence to practice as a medical practitioner and is on the General Practitioner Register kept by virtue of section 34C of the Medical Act 1983⁽²⁾, and “medical services” includes all forms of medical treatment and investigations to establish whether treatment is needed;”;

(b) omit the definition of “independent mobility assessor”.

(3) In regulation 4 (descriptions of disabled persons)—

(a) for paragraph (2)(f) substitute—

(1) [S.I. 2000/682](#); relevant amending instruments are [S.I. 2000/1507](#), [2007/2531](#), [2011/1307](#), [2011/2675](#), [2013/388](#) and [2013/2203](#).
(2) [1983 c. 54](#).

- “(f) subject to paragraph (3A), has been certified by an expert assessor as having an enduring and substantial disability which causes them, during the course of a journey, to—
 - (i) be unable to walk;
 - (ii) experience very considerable difficulty whilst walking, which may include very considerable psychological distress; or
 - (iii) be at risk of serious harm when walking; or pose, when walking, a risk of serious harm to any other person;”;
- (b) for paragraph (2)(g) substitute—
 - “(g) receives the mobility component of personal independence payment at either the standard rate or the enhanced rate under section 79(3) of the Welfare Reform Act 2012⁽³⁾, and, in an assessment carried out under the Social Security (Personal Independence Payment) Regulations 2013⁽⁴⁾:
 - (i) obtained a score of at least 8 points in relation to the “*moving around*” activity; or
 - (ii) obtained a score of 10 points in relation to the “*planning and following journeys*” activity on the grounds that they cannot undertake any journey because it would cause them overwhelming psychological distress.”;
- (c) in paragraph (3A), from the words “has a permanent and substantial disability” to the end substitute—

“has an enduring and substantial disability which causes them, during the course of a journey, to suffer one of the effects listed at paragraph (2)(f)(i) to (iii).”.
- (4) In regulation 8 (grounds for refusal to issue a badge), in paragraph (2)(e)—
 - (a) before “in the case of an application” insert “subject to regulation 4(3A),”; and
 - (b) for “independent mobility assessor” substitute “expert assessor”.

⁽³⁾ 2012 c.5

⁽⁴⁾ S.I. 2013/377, Schedule 1, part 3.