
WELSH STATUTORY INSTRUMENTS

2000 No. 1786

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

**PART I
PRELIMINARY**

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Disabled Persons (Badges for Motor Vehicles) (Wales) Regulations 2000 and shall come into force on 1st July 2000.

(2) These Regulations apply to Wales.

Interpretation

2.—(1) In these Regulations –

“the 1970 Act” (“*Deddf 1970*”) means the Chronically Sick and Disabled Persons Act 1970;

“the 1982 Regulations” (“*Rheoliadau 1982*”) has the meaning given by regulation 3(1) below;

“the 1984 Act” (“*Deddf 1984*”) means the Road Traffic Regulation Act 1984 (1);

“disabled person” (“*person anabl*”) means a person more than two years old and who corresponds to at least one of the prescribed descriptions in regulation 4(2);

“disabled person’s badge” (“*bathodyn person anabl*”) means, subject to paragraph (6) below, a badge in the form prescribed by regulation 11 and issued by a local authority for display on a motor vehicle driven by a disabled person, or to carry a disabled person and includes a replacement badge for one that was lost etc. issued in accordance with regulation 7;

“disabled person’s concession” (“*consesiwn person anabl*”) has the meaning given by section 117(3) of the 1984 Act;

“holder” (“*deiliad*”) in relation to a disabled person’s badge, means the individual or institution to whom a disabled person’s badge was issued;

“individual’s badge” (“*bathodyn unigolyn*”) means a disabled person’s badge issued to an individual disabled person;

“institution” (“*sefydliad*”) means an institution concerned with the care of disabled persons to which a disabled person’s badge may be issued in accordance with section 21(4) of the 1970 Act,

“institutional badge” (“*bathodyn sefydliad*”) means a disabled person’s badge issued to an institution;

“issuing authority” (“*awdurdod rhoi*”), in relation to a disabled person’s badge, means the local authority which issued the badge; and

“local authority” (“*awdurdod lleol*”) means a county council or county borough council.

(2) In these Regulations a reference to an order made under any provision of the 1984 Act is to an order made, or having effect as if made, under that provision, including an order varying or revoking an order made or having effect as if made under that Act.

(3) In these Regulations “relevant conviction” (“*collfarn berthnasol*”) means

(a) any conviction of —

(i) the holder of a disabled person’s badge; or

(ii) any other person using such a badge with the holder’s consent, for an offence specified in paragraph (4); or

(b) any conviction of a person other than the holder of a disabled person’s badge of an offence under section 117(1) of the 1984 Act where the badge was displayed on the vehicle with the consent of the holder at any time during which the offence was being committed.

(4) The offences mentioned in paragraph (3)(a) above are—

(a) any offence under sections 5, 8, 11 or 16(1) of the 1984 Act so far as it relates to any contravention of or failure to comply with any provision of an order made under sections 1, 6, 9 or 14 of that Act —

(i) prohibiting or restricting the waiting of vehicles on any road or part of a road; or

(ii) relating to any of the matters mentioned in paragraph 7 or 8 of Schedule 1 to that Act; or

(b) any offence under sections 35A(1) and (2), 47(1), 53(5), 53(6) or 117(1) of that Act.

(5) Any notice given under these Regulations shall be in writing.

(6) For the purposes of regulations 12 to 16 the definition of “disabled person’s badge” in paragraph (1) above shall include a badge issued under regulations having effect in England or Scotland under section 21 of the Chronically Sick and Disabled Persons Act 1970.

Revocation of 1982 Regulations and transitional provisions

3.—(1) The Disabled Persons (Badges for Motor Vehicles) Regulations 1982 **(2)** (in these Regulations called “the 1982 Regulations”), are revoked.

(2) Without prejudice to section 17 of the Interpretation Act 1978 **(3)**

(a) any application made to a local authority or other thing done under the 1982 Regulations before the coming into force of these Regulations by or in relation to a local authority in Wales shall have effect as if made or done, and may be continued under the corresponding provision of these Regulations;

(b) any badge issued by a local authority in Wales under the 1982 Regulations shall have effect as if issued under these Regulations and shall remain in force until

(i) the happening of an event specified in regulation 9(1) or the giving of a notice in accordance with regulation 9(2); or

(ii) the issue of a replacement in accordance with regulation 7.

(3) Any order made under the 1984 Act which refers to a disabled person’s badge shall, in relation to times falling after the coming into force of these Regulations, have effect as if the reference

(2) S.I.1982/1740, amended by S.I. 1991/2708 and 1992/200. These Regulations no longer apply in England by virtue of the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000 (S.I. 2000/682) or in Scotland by virtue of the Disabled Persons (Badges for Motor Vehicles) (Scotland) Regulations 2000 (S.S.I.2000/59).

(3) 1978 c. 30.

included a reference to a badge issued, or having effect as if issued, in accordance with these Regulations.