



# Disability Discrimination Act 2005

## 2005 CHAPTER 13

### *Transport*

#### **F15 Application of sections 19 to 21 of the 1995 Act to transport vehicles**

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##### **Textual Amendments**

- F1** Act repealed (1.10.2010) by [The Equality Act 2010 \(Consequential Amendments, Saving and Supplementary Provisions\) Order 2010 \(S.I. 2010/2279\)](#), art. 1(2), **Sch. 2** (see S.I. 2010/2317, art. 2)

#### **F16 Rail vehicles: application of accessibility regulations**

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##### **Textual Amendments**

- F1** Act repealed (1.10.2010) by [The Equality Act 2010 \(Consequential Amendments, Saving and Supplementary Provisions\) Order 2010 \(S.I. 2010/2279\)](#), art. 1(2), **Sch. 2** (see S.I. 2010/2317, art. 2)

##### **Commencement Information**

- I1** S. 6 partly in force; s. 6 not in force at Royal Assent see s. 20(3); s. 6(3)-(5) in force for certain purposes at 5.12.2005 by [S.I. 2005/2774](#), **art. 3(d)**

PROSPECTIVE

#### **7 Rail vehicles: accessibility compliance certificates**

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*Status:* This version of this cross heading contains provisions that are prospective.  
*Changes to legislation:* There are currently no known outstanding effects for the Disability  
Discrimination Act 2005, Cross Heading: Transport. (See end of Document for details)

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PROSPECTIVE

## 8 Rail vehicles: enforcement and penalties

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## 9 Recognition of disabled persons' badges issued outside Great Britain

In the Chronically Sick and Disabled Persons Act 1970 (c. 44), after section 21 there is inserted—

### “21A Recognition of badges issued outside Great Britain

- (1) For the purposes of this section and section 21B, a “recognised badge” means—
  - (a) a badge issued under section 14 of the Chronically Sick and Disabled Persons (Northern Ireland) Act 1978, or any provision replacing that section, as from time to time amended, or
  - (b) a badge issued under provisions of the law of any jurisdiction outside the United Kingdom that are specified in regulations made by the appropriate national authority.
- (2) In exercising the power under subsection (1)(b), the appropriate national authority may specify a provision only if it appears to the authority that badges issued under the provision are issued by reference to persons who are, or include, disabled persons.
- (3) A recognised badge may be displayed on a motor vehicle only in such circumstances and in such manner as may be prescribed by regulations made by the appropriate national authority.
- (4) 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 purporting to be a recognised badge is displayed on the vehicle is guilty of an offence unless the badge is a recognised badge and is displayed in accordance with regulations made under subsection (3).
- (5) A person guilty of an offence under subsection (4) shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- (6) Where it appears to a constable or enforcement officer that there is displayed on any motor vehicle a badge purporting to be a recognised badge, he may require any person who—
  - (a) is in the vehicle, or
  - (b) appears to have been in, or to be about to get into, the vehicle,
 to produce the badge for inspection.
- (7) The power conferred on an enforcement officer by subsection (6) is exercisable only for purposes connected with the discharge of his functions in relation to a stationary vehicle.

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- (8) A person who without reasonable excuse fails to produce a badge when required to do so under subsection (6) shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- (9) In this section “enforcement officer” has the meaning given by section 21(4BB).

### **21B Recognised badges treated as badges under section 21 for certain purposes**

- (1) The concessions mentioned in subsection (2) shall apply in respect of vehicles lawfully displaying a recognised badge as they apply in respect of vehicles lawfully displaying a badge issued under section 21.
- (2) The concessions are—
- (a) any exemption from an order under the Road Traffic Regulation Act 1984 given by reference to vehicles lawfully displaying a badge issued under section 21;
  - (b) any provision made in an order under that Act for the use of a parking place by such vehicles.
- (3) The appropriate national authority may by regulations provide that recognised badges are to be treated, for purposes specified in the regulations, as if they were badges issued under section 21.

### **21C Sections 21A and 21B: regulations and interpretation**

- (1) Any power to make regulations under section 21A or 21B—
- (a) is exercisable by statutory instrument, and
  - (b) includes power—
    - (i) to make different provision for different cases, and
    - (ii) to make incidental, supplementary, transitional or consequential provision.
- (2) A statutory instrument containing regulations made under section 21A or 21B by the Secretary of State is subject to annulment in pursuance of a resolution of either House of Parliament.
- (3) In sections 21A and 21B, “appropriate national authority” means—
- (a) in relation to England, the Secretary of State;
  - (b) in relation to Wales, the National Assembly for Wales.”

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#### **Commencement Information**

**I2** S. 9 wholly in force at 30.3.2008; s. 9 not in force at Royal Assent see s. 20(3); s. 9 in force for E. at 30.6.2005 by [S.I. 2005/1676](#), [art. 3\(a\)](#); s. 9 in force for W. at 30.3.2008 by [S.I. 2007/3285](#), [art. 2\(a\)](#)

**Status:**

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**Changes to legislation:**

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