



Disability Discrimination Act 2005

2005 CHAPTER 13

Transport

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.

Status: Point in time view as at 30/06/2005.

Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 2005, Section 9. (See end of Document for details)

- (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.
- (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.”

Status: Point in time view as at 30/06/2005.

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Commencement Information

- II** [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:

Point in time view as at 30/06/2005.

Changes to legislation:

There are currently no known outstanding effects for the Disability Discrimination Act 2005, Section 9.