
STATUTORY INSTRUMENTS

2013 No. 2203

**The Disabled Persons (Badges for Motor Vehicles)
(England) (Amendment) Regulations 2013**

Citation and commencement

1. These Regulations may be cited as the Disabled Persons (Badges for Motor Vehicles) (England) (Amendment) Regulations 2013 and come into force on 8th October 2013.

Amendment of Regulations

2.—(1) The Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000(1) are amended in accordance with paragraphs (2) to (8).

(2) In regulation 2 (interpretation)—

(a) in paragraph (1)—

(i) in the definition of “disabled person’s badge”, for “a badge in the form prescribed by regulation 11” substitute “a badge of a form specified or approved by the Secretary of State and”; and

(ii) in the definition of “local authority”, after the word “means”, insert “, subject to paragraph (1B)(a),”;

(b) after paragraph (1A), insert—

“(1B) Where section 21(8B) of the 1970 Act has effect—

(a) a reference in these Regulations to a local authority is to be read as including a reference to the Secretary of State; and

(b) paragraph (2)(b)(i) of regulation 8 has effect as if “a place prescribed under section 21(8B) of the 1970 Act” were substituted for “the area of that local authority”.”.

(3) In regulation 8 (grounds for refusal to issue a badge), in paragraph (2)(f), for “which has been issued by another issuing authority” substitute “issued under section 21 of the 1970 Act or a recognised badge within the meaning of section 21A(2) of that Act”.

(4) In regulation 9 (return of badge to issuing authority) —

(a) in paragraph (1)(f), omit “or another valid badge is issued to the holder by another issuing authority”;

(b) after paragraph (1)(f), insert —

“(g) the holder is issued with another valid badge under section 21 of the 1970 Act or with a recognised badge within the meaning of section 21A of that Act.”;

(c) after paragraph (1), insert —

(1) S.I. 2000/682; relevant amending instruments are S.I. 2000/1507, 2005/617, 2007/2531, 2011/1307, 2011/2675 and 2013/388.
(2) Section 21A was inserted into the 1970 Act by section 9 of the Disability Discrimination Act 2005.

“(1A) In the case of a badge to which section 21(4D)(b)(iii) of the 1970 Act applies which is retained by a constable or enforcement officer pursuant to that section, the badge shall be returned as soon as reasonably practicable—

- (a) to the issuing authority; and
 - (b) after return to the issuing authority, by the issuing authority to the holder, provided that the issuing authority does not have grounds for giving a notice to the holder pursuant to paragraph (2).”.
- (d) in paragraph (2)—
- (i) omit “Subject to the provisions of regulation 10”;
 - (ii) omit “within the prescribed period”; and
 - (iii) insert “immediately” before “if”.
- (e) omit paragraphs (3) and (4).
- (5) For regulation 10 (appeals) substitute—

“Parking badges for disabled service personnel etc overseas

10. For the purpose of section 21(8B) of the 1970 Act, the prescribed places outside the United Kingdom comprise any property at any address in any of the localities listed in the schedule to these Regulations.”

- (6) In the heading to Part III, omit “Form and”.
- (7) Omit regulation 11 (form of badge).
- (8) For the Schedule substitute the Schedule to these Regulations.

Saving

3. The substitution made by regulation 2(5) does not apply in respect of any appeal saved by section 5(4) of the Disabled Persons’ Parking Badges Act 2013.

Signed by authority of the Secretary of State

3rd September 2013

Norman Baker
Parliamentary Under Secretary of State
Department for Transport