The Secretary of State makes these Regulations in exercise of the powers conferred by section 21 of the Chronically Sick and Disabled Persons Act 1970(a), now vested in him(b).

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(c) 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

(a) 1970 c.44; section 21, so far as it relates to England, was amended by the Local Government Act 1972 (c.70) Schedule 30; the Transport Act 1982 (c.49) section 68; the Road Traffic Regulation Act 1984 (c.27) Schedule 13, paragraph 11; the Local Government Act 1985 (c.51) Schedule 5, paragraph 1; the Road Traffic Act 1991 (c.40) section 35, Schedule 8; the Traffic Management Act 2004 (c.18) section 94(1) to (4); the Disability Discrimination Act 2005 (c.13) Schedule 1, Part 2, paragraph 41; the Tribunals, Courts and Enforcement Act 2007 (c.15) section 48(1), Schedule 8, paragraph 2; and the Disabled Persons’ Parking Badges Act 2013 (c.4) sections 1 to 6.

(b) See S.I. 1970/1681.

(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(a) 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 —
       “(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

Norman Baker
Parliamentary Under Secretary of State
Department for Transport

3rd September 2013

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(a) Section 21A was inserted into the 1970 Act by section 9 of the Disability Discrimination Act 2005.
SCHEDULE

Substituted Schedule to the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000

“SCHEDULE

Places outside the United Kingdom

Argentina
  Buenos Aires

Ascension Island

Australia
  Canberra

Austria
  Vienna

Bahrain
  Manama

Bangladesh
  Dhaka

Belgium
  Brussels
  Glons
  Mons
  Soignies

Bosnia & Herzegovina
  Sarajevo

Brazil
  Brasilia

Belize
  Ladyville

Brunei
  Bandar Seri Begawan
  Seria

Canada
  Ottowa
  Suffield

Chile
  Santiago
China
   Beijing
Colombia
   Bogota
Cyprus
   Akrotiri – the Sovereign Base Area
   Dhekelia – the Sovereign Base Area
   Nicosia Airport
Czech Republic
   Prague
   Vyskov
Denmark
   Copenhagen
   Viborg
Diego Garcia
Egypt
   Cairo
Estonia
   Tallinn
Ethiopia
   Addis Ababa
Italy
   Latina
   Milan
   Naples
   Poggio Renatica
   Rome
   Turin
   Verona
Falkland Islands
France
   Lille
   Paris
Germany
   Baden-Württemberg
   Bayern (Bavaria)
   Berlin
   Brandenburg
   Hamburg
   Hessen (Hesse)
Niedersachsen (Lower Saxony)
Nordrhein-Westfalen (North Rhine-Westphalia)
Rheinland-Pfalz (Rheinland-Palatinate)
Sachsen (Saxony)
Schleswig-Holstein

Ghana
Accra

Gibraltar

Greece
Athens
Larissa

India
New Delhi

Indonesia
Jakarta

Israel
Tel Aviv

Jamaica
Kingston

Japan
Tokyo

Jordan
Amman

Kazakhstan
Astana

Kenya
Nairobi
Nanyuki

Korea
Seoul

Kuwait
Kuwait City

Lebanon
Beirut

Macedonia
Skopje

Malaysia
Kuala Lumpur
Morocco
   Rabat

Nepal
   Kathmandu

Netherlands
   Brunssum
   The Hague

New Zealand
   Wellington

Nigeria
   Abuja

Norway
   Bodo
   Oslo
   Stavanger

Oman
   Muscat

Pakistan
   Islamabad

Poland
   Warsaw

Portugal
   Monsanto
   Lisbon

Qatar
   Doha

Romania
   Bucharest

Russia
   Moscow

Saudi Arabia
   Riyadh

Serbia
   Belgrade

Sierra Leone
   Freetown

Singapore

South Africa
   Pretoria
Spain
Albacete
Madrid
Valencia

Sudan
Khartoum

Sweden
Stockholm

Turkey
Ankara
Istanbul
Izmir

Uganda
Kampala

Ukraine
Kyiv

United Arab Emirates
Abu Dhabi
Dubai

United States of America
Nevada
New York
Virginia
Washington D.C

Zimbabwe
Harare
EXPLANATORY NOTE
(This note is not part of the Regulations)

A disabled person’s parking badge enables the holder to benefit from a range of parking concessions and exemptions from certain charges which apply to other motorists. The Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000 (“the Principal Regulations”) make provision regarding the issue of badges by local authorities.

Regulation 2 amends the Principal Regulations for the purpose of implementing the Disabled Persons’ Parking Badges Act 2013 (“the 2013 Act”), which amends section 21 of the Chronically Sick and Disabled Persons Act 1970 (“the 1970 Act”) and clarifying the application of certain provisions of the Principal Regulations, as follows—

Paragraph (2) amends the definition of “disabled person’s badge” in consequence of the amendment of section 21 of the 1970 Act such that badges must now be in a form specified or approved by the Secretary of State, instead of prescribed by regulations (“the badge form amendment”). It also amends or modifies references in the Principal Regulations to a local authority or to residence in the area of a local authority, for the purpose of a new power introduced by the 2013 Act for the Secretary of State to issue badges to members of HM Armed Forces and certain other persons who are resident in prescribed places (“the Armed Forces amendment”).

Paragraph (3) clarifies the provisions of the Principal Regulations which enable an authority to deny the issue of a badge in circumstances in which the applicant already holds a badge issued by another authority, such that they also apply to recognised badges issued outside Great Britain.

Paragraph (4) clarifies the provisions of the Principal Regulations which require the return of a badge in circumstances in which the holder is issued with a badge by more than one authority, such that they also apply to recognised badges issued outside Great Britain. It also introduces a new requirement that a badge which is retained by a constable or an enforcement officer in certain circumstances pursuant to a new power introduced by the 2013 Act must be returned to the holder as soon as reasonably practicable; and omits provisions of the Principal Regulations concerning appeals, consequent upon the disapplication in England by the 2013 Act of the right to appeal to the Secretary of State.

Paragraph (5) omits further provisions concerning appeals; and substitutes a provision which prescribes places of residence for the purpose of the Armed Forces amendment.

Paragraph (7) omits provisions made redundant by the badge form amendment.

Paragraph (8) omits a Schedule made redundant by the badge form amendment; and substitutes a new Schedule listing the locations in which places of residence may be located for the purpose of the Armed Forces amendment.

These amendments do not have any impact on the costs of business or the voluntary sector. This instrument and the accompanying Explanatory Memorandum are published on www.legislation.gov.uk.

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