
SCOTTISH STATUTORY INSTRUMENTS

2013 No. 65

The Welfare Reform (Consequential Amendments) (Scotland) Regulations 2013

Disabled Persons (Badges for Motor Vehicles) (Scotland) Regulations 2000

5.—(1) The Disabled Persons (Badges for Motor Vehicles) (Scotland) Regulations 2000(1) are amended as follows.

- (2) In regulation 4(2) (descriptions of disabled persons), after sub-paragraph (a) insert—
- “(aa) receives personal independence payment and who has been assessed as having—
- (i) severely limited ability (within the meaning of regulation 6(3)(b) of the Social Security (Personal Independence Payment) Regulations 2013(2)) in respect of activity 1 (planning and following journeys) in Part 3 of Schedule 1 to those Regulations; or
 - (ii) limited ability (within the meaning of regulation 6(3)(a) of those Regulations) in respect of activity 2 (moving around) in that Part;”.
- (3) In regulation 6 (fee for issue and period of issue of a badge)—
- (a) in paragraph (2)—
 - (i) after “Subject to” insert “paragraph (3) and”;
 - (ii) after sub-paragraph (b), insert—
 - “(ba) to a person falling within the description specified in regulation 4(2) (aa), for whichever is the shorter of—
 - (i) the period of 3 years beginning with the date of issue; or
 - (ii) the period which begins on the date of issue and ends on the date on which the relevant award of personal independence payment ends;”;
 - (iii) in sub-paragraph (d), after “(b)” insert “, (ba)”;
 - (iv) omit sub-paragraph (e); and
 - (b) after paragraph (2), insert—

“(3) Where a person falls within sub-paragraph (b) or (ba) of paragraph (2) and also falls within sub-paragraph (c) of that paragraph, a badge shall be issued for whichever is the longer period under a sub-paragraph applying to him.”.
 - (4) In regulation 9 (return of badge to issuing authority)—
 - (a) in paragraph (1), for “A” substitute “Subject to paragraph (1A), a”; and
 - (b) after that paragraph, insert—

“(1A) A badge need not be returned under paragraph (1)(c) where—

(1) S.S.I. 2000/59; relevant amending instruments are S.S.I. 2007/162 and 2011/89 and 410.
(2) S.I. 2013/377.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (a) a person has had entitlement to disability living allowance terminated in accordance with the Personal Independence Payment (Transitional Provisions) Regulations 2013(3); and
- (b) immediately before that happened the person was a disabled person by virtue of regulation 4(2)(a) above.”