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STATUTORY INSTRUMENTS

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**2000 No. 682**

**The Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000**

**PART I**  
**PRELIMINARY**

**Citation, commencement and extent**

1.—(1) These Regulations may be cited as the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000 and shall come into force on 1st April 2000.

(2) These Regulations extend to England.

**Commencement Information**

**11** Reg. 1 in force at 1.4.2000, see [reg. 1\(1\)](#)

**Interpretation**

2.—(1) In these Regulations—

“the 1970 Act” means the Chronically Sick and Disabled Persons Act 1970;

<sup>F1</sup>  
...

“the 1984 Act” means the Road Traffic Regulation Act 1984(1);

[<sup>F2</sup>“date of issue” means the date on which a disabled person’s badge is first valid for use;]

“disabled person” means a person <sup>F3</sup>... falling within at least one of the prescribed descriptions in regulation 4;

“disabled person’s badge” means [<sup>F4</sup>, subject to paragraph (1A),] a badge in the form prescribed by regulation 11 issued by a local authority for display on a motor vehicle driven by a disabled person, or used for the carriage of a disabled person, and includes a replacement badge issued in accordance with regulation 7;

“disabled person’s concession” has the meaning given by section 117(3) of the 1984 Act;

“holder”, in relation to a disabled person’s badge, means the individual or [<sup>F5</sup>organisation] to whom a disabled person’s badge was issued;

[<sup>F6</sup>“independent mobility assessor” means a person (“person A”) who at the time of any assessment of another person (“person B”) for the purposes of the certification referred to in regulation 4(2)(f)—

*Status: Point in time view as at 01/04/2012.*

*Changes to legislation: There are currently no known outstanding effects for the The Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000. (See end of Document for details)*

- (a) is recognised by the local authority to which the application for a disabled person’s badge is being made as—
  - (i) holding a professional qualification, the obtaining of which involved person A being trained in the assessment of a person’s ability to walk; and
  - (ii) having the expertise necessary to assess on behalf of the local authority the ability to walk of person B;
- (b) has never been employed or engaged as a provider of medical services to person B where “medical services” includes all forms of medical treatment and investigations to establish whether treatment is needed but does not include an assessment conducted to establish whether person B is eligible for services provided by a local authority (including the provision of a disabled person’s badge); and
- (c) is not, in the opinion of the local authority, precluded by reason of personal or commercial relationship with person B from providing an independent assessment of person B’s ability to walk;]

<sup>F7</sup> ...

“individual’s badge” means a disabled person’s badge issued to an individual disabled person;

<sup>F7</sup> ...

“issuing authority”, in relation to a disabled person’s badge, means the local authority which issued the badge; <sup>F8</sup>...

[<sup>F9</sup>“local authority” means a county council, district council, the Council of the Isles of Scilly, a London borough council or the Common Council of the City of London;

“organisation” means an organisation concerned with the care of disabled persons to which a disabled person’s badge may be issued in accordance with section 21(4) of the 1970 Act; and

“organisational badge” means a disabled person’s badge issued to an organisation.]

[<sup>F10</sup>(1A) For the purposes of regulations 12 to 16, the definition of “disabled person’s badge” in paragraph (1) shall include a badge issued under regulations having effect in Scotland or Wales under section 21 of the Chronically Sick and Disabled Persons Act 1970.]

(2) In these Regulations a reference to an order made under any provision of the 1984 Act is to an order made, or having effect as if made, under that provision including an order varying or revoking an order made or having effect as if made under that Act.

[<sup>F11</sup>(3) In these Regulations “relevant conviction” means any conviction for an offence specified in paragraph (4) committed in relation to a disabled person’s badge of—

- (a) the holder of that badge; or
- (b) any other person using that badge with the knowledge of the holder at any time during which the offence was being committed.]

[<sup>F12</sup>(4) The offences mentioned in paragraph (3) are any offence—

- (a) under section 21(4B) of the 1970 Act;
- (b) under section 115 or 117 of the 1984 Act; or
- (c) involving dishonesty or deception under any other provision of the 1970 Act, of the 1984 Act or of any other legislation applicable in the United Kingdom, or any part of the United Kingdom.]

(5) Any notice given under these Regulations shall be in writing.

**Textual Amendments**

- F1** Words in reg. 2(1) revoked (1.12.2011) by [The Disabled Persons \(Badges for Motor Vehicles\) \(England\) \(Amendment\) \(No.2\) Regulations 2011](#) (S.I. 2011/2675), regs. 1(1), **2(2)(a)(i)**
- F2** Words in reg. 2(1) inserted (1.12.2011) by [The Disabled Persons \(Badges for Motor Vehicles\) \(England\) \(Amendment\) \(No.2\) Regulations 2011](#) (S.I. 2011/2675), regs. 1(1), **2(2)(a)(ii)**
- F3** Words in reg. 2(1) omitted (17.6.2011) by virtue of [The Disabled Persons \(Badges for Motor Vehicles\) \(England\) \(Amendment\) Regulations 2011](#) (S.I. 2011/1307), regs. 1, **2(2)**
- F4** Words in reg. 2(1) inserted (1.7.2000) by [The Disabled Persons \(Badges for Motor Vehicles\) \(England\) \(Amendment\) Regulations 2000](#) (S.I. 2000/1507), regs. 1, **3(a)**
- F5** Word in reg. 2(1) substituted (30.9.2007) by [The Disabled Persons \(Badges for Motor Vehicles\) \(England\) \(Amendment\) Regulations 2007](#) (S.I. 2007/2531), regs. 1, **3(2)**
- F6** Words in reg. 2(1) inserted (1.4.2012) by [The Disabled Persons \(Badges for Motor Vehicles\) \(England\) \(Amendment\) \(No.2\) Regulations 2011](#) (S.I. 2011/2675), regs. 1(2)(a), **2(2)(a)(iii)**
- F7** Words in reg. 2(1) omitted (30.9.2007) by virtue of [The Disabled Persons \(Badges for Motor Vehicles\) \(England\) \(Amendment\) Regulations 2007](#) (S.I. 2007/2531), regs. 1, **3(3)**
- F8** Word in reg. 2(1) omitted (30.9.2007) by virtue of [The Disabled Persons \(Badges for Motor Vehicles\) \(England\) \(Amendment\) Regulations 2007](#) (S.I. 2007/2531), regs. 1, **3(4)**
- F9** Words in reg. 2(1) substituted (30.9.2007) by [The Disabled Persons \(Badges for Motor Vehicles\) \(England\) \(Amendment\) Regulations 2007](#) (S.I. 2007/2531), regs. 1, **3(5)**
- F10** Reg. 2(1A) inserted (1.7.2000) by [The Disabled Persons \(Badges for Motor Vehicles\) \(England\) \(Amendment\) Regulations 2000](#) (S.I. 2000/1507), regs. 1, **3(b)**
- F11** Reg. 2(3) substituted (1.12.2011) by [The Disabled Persons \(Badges for Motor Vehicles\) \(England\) \(Amendment\) \(No.2\) Regulations 2011](#) (S.I. 2011/2675), regs. 1(1), **2(2)(b)**
- F12** Reg. 2(4) substituted (1.12.2011) by [The Disabled Persons \(Badges for Motor Vehicles\) \(England\) \(Amendment\) \(No.2\) Regulations 2011](#) (S.I. 2011/2675), regs. 1(1), **2(2)(c)**

**Commencement Information**

- I2** Reg. 2 in force at 1.4.2000, see [reg. 1\(1\)](#)

**[<sup>F13</sup>Transitional provision]**

- 3.**—<sup>F14</sup>(1) .....
- <sup>F14</sup>(2) .....

(3) Any order made under the 1984 Act which refers to a disabled person’s badge shall, in relation to times falling after the coming into force of these Regulations, have effect as if the reference included a reference to a badge issued, or having effect as if issued, in accordance with these Regulations.

**Textual Amendments**

- F13** Reg. 3 heading substituted (30.9.2007) by [The Disabled Persons \(Badges for Motor Vehicles\) \(England\) \(Amendment\) Regulations 2007](#) (S.I. 2007/2531), regs. 1, **4(3)**
- F14** Reg. 3(1)(2) omitted (30.9.2007) by virtue of [The Disabled Persons \(Badges for Motor Vehicles\) \(England\) \(Amendment\) Regulations 2007](#) (S.I. 2007/2531), regs. 1, **4(2)**

**Commencement Information**

- I3** Reg. 3 in force at 1.4.2000, see [reg. 1\(1\)](#)

## PART II

### ISSUE, DURATION AND REVOCATION OF BADGES

#### Descriptions of disabled persons

4.—<sup>[F15]</sup>(1) The prescribed descriptions of disabled person to whom a disabled person's badge may be issued are—

- (a) a person who is more than 2 years old and falls within one or more of the descriptions specified in paragraph (2);
- (b) a person who is not more than <sup>[F16]</sup>3 years old and falls within either or both of the descriptions specified in paragraph (3).]

(2) The descriptions <sup>[F17]</sup>referred to in paragraph (1)(a) are a person who—

- (a) receives the higher rate of the mobility component of the disability living allowance in accordance with section 73 of the Social Security and Benefits Act <sup>[F18]</sup>1992];
- (b) <sup>F19</sup>... is in receipt of a grant pursuant to <sup>[F20]</sup>paragraph 10(3) of Schedule 1 to the National Health Service Act 2006] or section 46 of the National Health Service (Scotland) Act 1978<sup>(2)</sup>;
- (c) is registered as blind under section 29(4)(g) of the National Assistance Act 1948<sup>(3)</sup> or, in Scotland, is a blind person within the meaning of section 64(1) of that Act;
- (d) receives a mobility supplement under article 26A of the Naval, Military and Air Forces etc. (Disablement and Death) Service Pensions Order 1983<sup>(4)</sup> including such a supplement by virtue of any scheme or order under article 25A of the Personal Injuries (Civilians) Scheme 1983<sup>(5)</sup>;

<sup>[F21]</sup>(dd) has—

- (i) received a lump sum benefit under article 15(1)(a) of the Armed Forces and Reserve Forces (Compensation Scheme) Order 2011 within tariff levels 1 to 8 (inclusive); and
- (ii) been certified by the Secretary of State as having a permanent and substantial disability which causes inability to walk or very considerable difficulty in walking;]

<sup>[F22]</sup>(e) drives a vehicle regularly, has a severe disability in both arms and is unable to operate, or has considerable difficulty in operating, all or some types of parking meter;]

- (f) <sup>[F23]</sup>subject to paragraph (3A), has been certified by an independent mobility assessor as having] a permanent and substantial disability which causes inability to walk or very considerable difficulty in walking.

<sup>[F24]</sup>(3) The descriptions referred to in paragraph (1)(b) are—

- (a) a child who, on account of a condition, must always be accompanied by bulky medical equipment which cannot be carried around with the child without great difficulty;
- (b) a child who, on account of a condition, must always be kept near a motor vehicle so that, if necessary, treatment for that condition can be given in the vehicle or the child can be taken quickly in the vehicle to a place where such treatment can be given.

(2) 1978 c. 29.

(3) 1948 c. 29.

(4) S.I.1983/883, amended by S.I. 1983/1116 and 1121, 1984/1154 and 1687, 1985/1201, 1986/592, 1988/248 and 2248, 1989/156, 1990/250 and 1308, 1991/766, 1992/710 and 3208, 1993/598, 1994/772 and 1906, 1995/766, 1996/732, 1638 and 2282, 1997/286.

(5) S.I. 1983/686, amended by S.I. 1983/1164, 1540, 1984/1289, 1675, 1985/1313, 1986/628, 1987/191, 1988/367, 2260, 1989/415, 1990/535, 1300, 1991/708, 1992/702, 3226, 1993/480, 1994/715, 2021, 1996/445, 1996/502, 1997/812, 1998/278.

[  
<sup>F25</sup>(3A) A person is to be deemed to be within the description set out in paragraph (2)(f) in the absence of the certification otherwise required if, in the opinion of the local authority to which the application for a disabled person's badge is being made, it is self evident by reason of the information the authority has about the person that the person has a permanent and substantial disability which causes inability to walk or very considerable difficulty in walking.]

(4) In this regulation—

(a) “bulky medical equipment” includes in particular any of the following—

- (i) ventilators;
- (ii) suction machines;
- (iii) feed pumps;
- (iv) parenteral equipment;
- (v) syringe drivers;
- (vi) oxygen administration equipment;
- (vii) continual oxygen saturation monitoring equipment; and
- (viii) casts and associated medical equipment for the correction of hip dysplasia; and

(b) “parking meter” has the same meaning as in the Road Traffic Regulation Act 1984 (see sections 46(2)(a) and 142(1)).]

#### Textual Amendments

- F15** Reg. 4(1) substituted (30.9.2007) by [The Disabled Persons \(Badges for Motor Vehicles\) \(England\) \(Amendment\) Regulations 2007 \(S.I. 2007/2531\)](#), regs. 1, **5(2)**
- F16** Word in reg. 4(1)(b) substituted (17.6.2011) by [The Disabled Persons \(Badges for Motor Vehicles\) \(England\) \(Amendment\) Regulations 2011 \(S.I. 2011/1307\)](#), regs. 1, **2(3)(a)**
- F17** Words in reg. 4(2) inserted (30.9.2007) by [The Disabled Persons \(Badges for Motor Vehicles\) \(England\) \(Amendment\) Regulations 2007 \(S.I. 2007/2531\)](#), regs. 1, **5(3)(a)**
- F18** Word in reg. 4(2)(a) substituted (1.7.2000) by [The Disabled Persons \(Badges for Motor Vehicles\) \(England\) \(Amendment\) Regulations 2000 \(S.I. 2000/1507\)](#), regs. 1, **4**
- F19** Words in reg. 4(2)(b) omitted (30.9.2007) by virtue of [The Disabled Persons \(Badges for Motor Vehicles\) \(England\) \(Amendment\) Regulations 2007 \(S.I. 2007/2531\)](#), regs. 1, **5(3)(b)(i)**
- F20** Words in reg. 4(2)(b) substituted (30.9.2007) by [The Disabled Persons \(Badges for Motor Vehicles\) \(England\) \(Amendment\) Regulations 2007 \(S.I. 2007/2531\)](#), regs. 1, **5(3)(b)(ii)**
- F21** Reg. 4(2)(dd) inserted (17.6.2011) by [The Disabled Persons \(Badges for Motor Vehicles\) \(England\) \(Amendment\) Regulations 2011 \(S.I. 2011/1307\)](#), regs. 1, **2(3)(b)**
- F22** Reg. 4(2)(e) substituted (30.9.2007) by [The Disabled Persons \(Badges for Motor Vehicles\) \(England\) \(Amendment\) Regulations 2007 \(S.I. 2007/2531\)](#), regs. 1, **5(3)(c)**
- F23** Words in reg. 4(2)(f) substituted (1.4.2012) by virtue of [The Disabled Persons \(Badges for Motor Vehicles\) \(England\) \(Amendment\) \(No.2\) Regulations 2011 \(S.I. 2011/2675\)](#), regs. 1(2)(a), **2(3)(a)**
- F24** Reg. 4(3)(4) added (30.9.2007) by [The Disabled Persons \(Badges for Motor Vehicles\) \(England\) \(Amendment\) Regulations 2007 \(S.I. 2007/2531\)](#), regs. 1, **5(4)**
- F25** Reg. 4(3A) inserted (1.4.2012) by [The Disabled Persons \(Badges for Motor Vehicles\) \(England\) \(Amendment\) \(No.2\) Regulations 2011 \(S.I. 2011/2675\)](#), regs. 1(2)(a), **2(3)(b)**

#### Commencement Information

- I4** Reg. 4 in force at 1.4.2000, see [reg. 1\(1\)](#)

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*Changes to legislation: There are currently no known outstanding effects for the The Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000. (See end of Document for details)*

## <sup>F26</sup>Organisational badges

5. An organisational badge may be issued to an organisation for a motor vehicle which is to be used to carry disabled persons falling within one or more of the descriptions specified in regulation 4(2) or (3).]

### Textual Amendments

**F26** Reg. 5 substituted (30.9.2007) by [The Disabled Persons \(Badges for Motor Vehicles\) \(England\) \(Amendment\) Regulations 2007 \(S.I. 2007/2531\)](#), regs. 1, 6

## Fee for issue and period of issue of a badge

6.—(1) The fee (if any) which a local authority may charge for the issue of a disabled person’s badge is a fee not exceeding £2 <sup>F27</sup> in the case of badges which have a date of issue before 1st January 2012 and £10 in the case of badges which have a date of issue on or after 1st January 2012].

<sup>F28</sup>(2) Subject to regulations 7(2) and 9, a disabled person’s badge shall be issued—

- (a) to a person falling within the description specified in regulation 4(1)(b), for a period ending on the day immediately following that person’s <sup>F29</sup>third] birthday;
- (b) to a person falling within the description specified in regulation 4(2)(a) or 4(2)(d), for whichever is the shorter of—
  - (i) the period of 3 years which begins with the date of issue; or
  - (ii) the period which begins with the date of issue and ends on the date on which that person will cease to receive the higher rate of the mobility component of the disability living allowance or the mobility supplement;
- (c) to a person not falling within subparagraph (a) or (b) for a period of 3 years beginning with the date of issue.]

### Textual Amendments

**F27** Words in [reg. 6\(1\)](#) inserted (1.12.2011) by [The Disabled Persons \(Badges for Motor Vehicles\) \(England\) \(Amendment\) \(No.2\) Regulations 2011 \(S.I. 2011/2675\)](#), regs. 1, **2(4)**

**F28** [Reg. 6\(2\)](#) substituted (30.9.2007) by [The Disabled Persons \(Badges for Motor Vehicles\) \(England\) \(Amendment\) Regulations 2007 \(S.I. 2007/2531\)](#), regs. 1, 7

**F29** Word in [reg. 6\(2\)\(a\)](#) substituted (17.6.2011) by [The Disabled Persons \(Badges for Motor Vehicles\) \(England\) \(Amendment\) Regulations 2011 \(S.I. 2011/1307\)](#), regs. 1, **2(4)**

### Commencement Information

**I5** [Reg. 6](#) in force at 1.4.2000, see [reg. 1\(1\)](#)

## Replacement badges

7.—(1) When a disabled person’s badge (“the original badge”) has been lost, stolen or destroyed, or has become so damaged or faded as no longer to be adequately legible when displayed on a vehicle <sup>F30</sup> or which otherwise prevents it from being identified correctly or distinguished from a forgery], a replacement badge may be issued <sup>F31</sup> in a form which identifies by consecutive numbering each successive badge issued to the disabled person or organisation (as the case may be) by the issuing authority].

(2) A replacement badge shall be valid from the date of issue until such time as the original badge would have ceased to be valid.

#### Textual Amendments

- F30** Words in reg. 7(1) inserted (1.12.2011) by [The Disabled Persons \(Badges for Motor Vehicles\) \(England\) \(Amendment\) \(No.2\) Regulations 2011 \(S.I. 2011/2675\)](#), regs. 1, **2(5)(a)**
- F31** Words in reg. 7(1) substituted (1.12.2011) by [The Disabled Persons \(Badges for Motor Vehicles\) \(England\) \(Amendment\) \(No.2\) Regulations 2011 \(S.I. 2011/2675\)](#), regs. 1, **2(5)(b)**

#### Commencement Information

- I6** Reg. 7 in force at 1.4.2000, see [reg. 1\(1\)](#)

### Grounds for refusal to issue a badge

**8.—(1)** A local authority may refuse to issue a badge on any of the grounds specified in paragraph (2).

(2) The grounds are—

- (a) the applicant holds or has held a badge issued under these Regulations <sup>F32</sup>... and misuse has led to [<sup>F33</sup>a relevant conviction];
- (b) the applicant fails to provide the local authority with adequate evidence—
- (i) in the case of an individual, that he is a person to whom one of the descriptions prescribed by regulation 4 applies [<sup>F34</sup>or that he is resident in the area of that local authority]; or
- (ii) in the case of an [<sup>F35</sup>organisation], that it is an [<sup>F35</sup>organisation] eligible to apply for a disabled person's badge in accordance with regulation 5;
- (c) the applicant fails to pay the fee (if any) chargeable for the issue of a badge; <sup>F36</sup>...
- (d) the local authority has reasonable grounds for believing that the applicant—
- (i) is not the person that he claims to be; or
- (ii) would permit another person to whom the badge was not issued to display it on a motor vehicle.
- [<sup>F37</sup>(e) in the case of an application made pursuant to regulation 4(2)(f), a report by an independent mobility assessor stating that one of the criteria specified in that provision is satisfied has not been made available to the local authority in a form satisfactory to the local authority; or]
- [<sup>F38</sup>(f) the applicant already holds a valid badge which has been issued by another issuing authority.]

(3) Where a local authority receives an application for a disabled person's badge and refuses to issue one, it shall give the applicant particulars of the grounds of refusal in its notice of determination.

#### Textual Amendments

- F32** Words in reg. 8(2)(a) revoked (1.12.2011) by [The Disabled Persons \(Badges for Motor Vehicles\) \(England\) \(Amendment\) \(No.2\) Regulations 2011 \(S.I. 2011/2675\)](#), regs. 1, **2(6)(a)(i)**
- F33** Words in reg. 8(2)(a) substituted (1.12.2011) by [The Disabled Persons \(Badges for Motor Vehicles\) \(England\) \(Amendment\) \(No.2\) Regulations 2011 \(S.I. 2011/2675\)](#), regs. 1, **2(6)(a)(ii)**

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*Changes to legislation: There are currently no known outstanding effects for the The Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000. (See end of Document for details)*

- F34** Words in reg. 8(2)(b)(i) inserted (1.12.2011) by The Disabled Persons (Badges for Motor Vehicles) (England) (Amendment) (No.2) Regulations 2011 (S.I. 2011/2675), regs. 1, **2(6)(b)**
- F35** Word in reg. 8(2)(b)(ii) substituted (30.9.2007) by The Disabled Persons (Badges for Motor Vehicles) (England) (Amendment) Regulations 2007 (S.I. 2007/2531), regs. 1, **8**
- F36** Word in reg. 8(2)(c) revoked (1.12.2011) by The Disabled Persons (Badges for Motor Vehicles) (England) (Amendment) (No.2) Regulations 2011 (S.I. 2011/2675), regs. 1, **2(6)(c)**
- F37** Reg. 8(2)(e) inserted (1.12.2011) by The Disabled Persons (Badges for Motor Vehicles) (England) (Amendment) (No.2) Regulations 2011 (S.I. 2011/2675), regs. 1(1), **2(6)(d)**
- F38** Reg. 8(2)(f) inserted (1.4.2012) by The Disabled Persons (Badges for Motor Vehicles) (England) (Amendment) (No.2) Regulations 2011 (S.I. 2011/2675), regs. 1(2)(b), **2(6)(d)**

#### Commencement Information

- I7** Reg. 8 in force at 1.4.2000, see **reg. 1(1)**

#### Return of badge to issuing authority

**9.—(1)** A disabled person's badge shall be returned to the issuing authority immediately on the occurrence of any of the following events—

- (a) the expiry of the period for which the badge was issued;
- (b) the death of the holder or, in the case of an <sup>F39</sup>organisational] badge, the <sup>F40</sup>organisation] ceasing to exist;
- (c) the holder of the badge ceases to be a disabled person or, in the case of an <sup>F39</sup>organisational] badge, the <sup>F40</sup>organisation] ceases to be eligible under regulation 5;
- (d) a replacement badge has been issued under regulation 7 to replace a lost or stolen badge and that badge is subsequently found or recovered;
- (e) the badge has become so mutilated or faded as no longer to be clearly legible when displayed on a vehicle <sup>F41</sup>or has suffered any other damage which otherwise prevents it from being identified correctly or distinguished from a forgery];
- (f) the badge ceases to be required by the holder <sup>F42</sup>or another valid badge is issued to the holder by another issuing authority].

(2) Subject to the provisions of regulation 10, a disabled person's badge shall, within the prescribed period, be returned to the issuing authority if the authority gives to the holder a notice—

- (a) stating that the authority refuses to allow the badge to continue in use on account of its misuse leading to <sup>F43</sup>a relevant conviction] and giving particulars of that misuse; or
- (b) stating that the authority is satisfied that the badge was obtained by false representation <sup>F44</sup>or that the holder has purported to transfer the badge to another person].

(3) For the purposes of paragraph (2) the prescribed period is—

- (a) where no appeal is made in accordance with regulation 10, the period of 28 days beginning with the day on which the notice under paragraph (2) was issued;
- (b) where an appeal is made in accordance with regulation 10(1) and the appeal is not allowed and no further appeal is made under regulation 10(11), the period of 28 days beginning with the day on which the Secretary of State gives notice of his determination of the appeal.
- (c) where any appeal is made in accordance with regulation 10(11) and the appeal is not allowed, the period of 28 days beginning with the day on which the magistrates' court gives notice of its determination of the appeal.

(4) The issuing authority may take such action as may be appropriate to recover a disabled person's badge which the holder is liable to return in accordance with this regulation.



**Textual Amendments**

- F39** Word in reg. 9(1) substituted (30.9.2007) by [The Disabled Persons \(Badges for Motor Vehicles\) \(England\) \(Amendment\) Regulations 2007 \(S.I. 2007/2531\)](#), regs. 1, **9(a)**
- F40** Word in reg. 9(1) substituted (30.9.2007) by [The Disabled Persons \(Badges for Motor Vehicles\) \(England\) \(Amendment\) Regulations 2007 \(S.I. 2007/2531\)](#), regs. 1, **9(b)**
- F41** Words in reg. 9(1)(e) inserted (1.12.2011) by [The Disabled Persons \(Badges for Motor Vehicles\) \(England\) \(Amendment\) \(No.2\) Regulations 2011 \(S.I. 2011/2675\)](#), regs. 1, **2(7)(a)**
- F42** Words in reg. 9(1)(f) inserted (1.12.2011) by [The Disabled Persons \(Badges for Motor Vehicles\) \(England\) \(Amendment\) \(No.2\) Regulations 2011 \(S.I. 2011/2675\)](#), regs. 1, **2(7)(b)**
- F43** Words in reg. 9(2)(a) substituted (1.12.2011) by [The Disabled Persons \(Badges for Motor Vehicles\) \(England\) \(Amendment\) \(No.2\) Regulations 2011 \(S.I. 2011/2675\)](#), regs. 1, **2(7)(c)**
- F44** Words in reg. 9(2)(b) inserted (1.12.2011) by [The Disabled Persons \(Badges for Motor Vehicles\) \(England\) \(Amendment\) \(No.2\) Regulations 2011 \(S.I. 2011/2675\)](#), regs. 1, **2(7)(d)**

**Commencement Information**

- I8** Reg. 9 in force at 1.4.2000, see [reg. 1\(1\)](#)

**Appeals**

**10.**—(1) An applicant for a disabled person’s badge whose application has been refused on the ground specified in regulation 8(2)(a) or the holder of a badge who has been required to return it in accordance with regulation 9(2) may appeal to the Secretary of State against the determination of the local authority in accordance with this regulation.

(2) The appeal shall be made by notice given within the period of 28 days beginning with the date on which the notice of the determination is given and the procedure specified in the following provisions of this regulation shall apply, except that, if the Secretary of State considers it appropriate in the circumstances of a particular case, he may determine an appeal even though the provisions of paragraphs (3) to (5) have not been complied with.

(3) The notice of appeal shall be dated and signed by the appellant (or by a person authorised to sign on his behalf) and shall state the grounds of appeal.

<sup>F45</sup>(4) .....

(5) On receipt of the appeal the Secretary of State shall send a copy of it to the local authority against whose determination the appeal is made and, within the period of 28 days beginning with the date of the notice of appeal, the local authority shall send to the Secretary of State and the appellant—

- (a) a copy of the notice issued by it to the appellant in accordance with regulation 8(3) or 9(2); and
- (b) any representation that it wishes the Secretary of State to take into account in determining the appeal.

(6) The appellant may make representations by way of reply to any representations made by the local authority within the period of 28 days beginning with the date of those representations.

(7) Any representations made by the local authority or the appellant shall be signed and dated and submitted to the Secretary of State on the date they bear.

(8) The Secretary of State may in a particular case give directions setting later time limits than those prescribed by these Regulations.

(9) When the Secretary of State determines an appeal he shall—

- (a) give notice to the appellant of his determination and of the reasons for it; and
- (b) send a copy of the notice to the local authority.

*Status: Point in time view as at 01/04/2012.*

*Changes to legislation: There are currently no known outstanding effects for the The Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000. (See end of Document for details)*

(10) If the Secretary of State refuses an appeal and a further appeal is not made under paragraph (11) the appellant shall return the disabled person's badge to the local authority within the time prescribed by regulation 9(3)(c).

(11) A person aggrieved by notice given by the Secretary of State under paragraph (9) may, within the period of 28 days beginning with the day on which that notice is given, appeal to a magistrates' court <sup>F46</sup> ... and the court may confirm, vary or quash the notice as it thinks fit, and make such order in the matter as it considers appropriate, and the determination of the court on any such appeal shall be binding on all the parties, and shall be final.

(12) If the magistrates' court refuses an appeal the appellant shall return the disabled person's badge to the local authority within the time prescribed by regulation 9(3)(c).

(13) In this regulation references to representations include a reference to supporting documents.

#### Textual Amendments

**F45** Reg. 10(4) revoked (1.12.2011) by [The Disabled Persons \(Badges for Motor Vehicles\) \(England\) \(Amendment\) \(No.2\) Regulations 2011 \(S.I. 2011/2675\)](#), regs. 1, **2(8)**

**F46** Words in reg. 10(11) omitted (1.4.2005) by virtue of [The Courts Act 2003 \(Consequential Provisions\) \(No. 2\) Order 2005 \(S.I. 2005/617\)](#), art. 1, **Sch. para. 182**

#### Commencement Information

**I9** Reg. 10 in force at 1.4.2000, see [reg. 1\(1\)](#)

## PART III

### FORM AND DISPLAY OF BADGES

#### [<sup>F47</sup>Form of badge

**11.**—(1) Paragraph (2) applies in respect of a badge with a date of issue before 1st January 2012 and paragraph (3) applies in respect of a badge with a date of issue on or after that date.

(2) A disabled person's badge is in the prescribed form if—

(a) the front and reverse of the badge are in the form shown in—

(i) Part 1 of the Schedule in the case of an individual's badge; or

(ii) Part 2 of the Schedule in the case of an organisational badge; and

(b) the badge complies with the specifications in Part 3 of the Schedule.

(3) A disabled person's badge is in the prescribed form if—

(a) the front and reverse of the badge are in the form shown in—

(i) Part 1A of the Schedule in the case of an individual's badge (with the omission of the word "sample" where it appears); or

(ii) Part 2A of the Schedule in the case of an organisational badge (with the omission of the word "sample" where it appears); and

(b) the badge complies with the specifications in Part 3A of the Schedule.]

### Textual Amendments

**F47** Reg. 11 substituted (1.12.2011) by [The Disabled Persons \(Badges for Motor Vehicles\) \(England\) \(Amendment\) \(No.2\) Regulations 2011 \(S.I. 2011/2675\)](#), regs. 1, **2(9)**

### Manner in which a badge is to be displayed

**12.** For the purposes of section 21(4A) of the 1970 Act a disabled person's badge is displayed on a vehicle in the prescribed manner if—

- (a) the badge is exhibited on the dashboard or facia of the vehicle, or
- (b) where the vehicle is not fitted with a dashboard or facia, the badge is exhibited in a conspicuous position on the vehicle,

so that the front of the badge is clearly legible from the outside of the vehicle.

### Commencement Information

**I10** Reg. 12 in force at 1.4.2000, see [reg. 1\(1\)](#)

### Display of an individual's badge when a vehicle is being driven

**13.—(1)** This regulation prescribes for the purposes of section 21(4A) of the 1970 Act the circumstances in which an individual's badge may be displayed while a vehicle is being driven.

(2) An individual's badge may be displayed on a vehicle while the holder is either driving or being carried in it.

- (3) An individual's badge may also be displayed on a vehicle if—
  - (a) the vehicle is being used for the collection of the holder and no other purpose;
  - (b) a disabled person's concession (other than a concession relating to parking) would be available to a vehicle lawfully displaying a disabled person's badge; and
  - (c) it would not be practicable for the vehicle to be lawfully driven to, or to stop at, the place at which the holder is to be collected if the concession did not apply to the vehicle.
- (4) An individual's badge may be displayed on a vehicle if—
  - (a) the vehicle, after being driven by or carrying the holder, is leaving the place where he got out;
  - (b) a disabled person's concession (other than a concession relating to parking) is available to a vehicle lawfully displaying a disabled person's badge; and
  - (c) it would not have been practicable for the vehicle to have left that place if the concession did not apply to the vehicle.

### Commencement Information

**I11** Reg. 13 in force at 1.4.2000, see [reg. 1\(1\)](#)

### Display of an individual's badge when a vehicle is parked

**14.—(1)** This regulation prescribes for the purposes of section 21(4A) of the 1970 Act the circumstances in which an individual's badge may be displayed while a vehicle is parked.

*Status: Point in time view as at 01/04/2012.*

*Changes to legislation: There are currently no known outstanding effects for the The Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000. (See end of Document for details)*

- (2) An individual's badge may be displayed on a vehicle while it is parked if it—
- (a) has been driven by the holder, or has been used to carry the holder, to the place where it is parked; or
  - (b) is to be driven by the holder, or is to be used to carry the holder, from that place.

#### Commencement Information

**I12** Reg. 14 in force at 1.4.2000, see [reg. 1\(1\)](#)

#### [<sup>F48</sup>Display of an organisational badge when a vehicle is being driven]

**15.—(1)** This regulation prescribes for the purposes of section 21(4A) of the 1970 Act the circumstances in which an [<sup>F49</sup>organisational] badge may be displayed while a vehicle is being driven.

(2) An [<sup>F49</sup>organisational] badge may be displayed on a vehicle while it is being driven by or on behalf of the holder and is carrying a disabled person.

(3) An [<sup>F49</sup>organisational] badge may also be displayed on a vehicle while it is being driven by or on behalf of the holder and—

- (a) the vehicle is being used for the collection of a disabled person and for no other purpose;
- (b) a disabled person's concession (other than a concession relating to parking) is available to a vehicle lawfully displaying a disabled person's badge; and
- (c) it would not have been practicable for the vehicle to be lawfully driven to or to stop at the place at which the disabled person is to be collected if that concession did not apply to the vehicle.

(4) An [<sup>F49</sup>organisational] badge may also be displayed on a vehicle while it is being driven by or on behalf of the holder and—

- (a) the vehicle, after carrying a disabled person, is leaving the place where he got off;
- (b) a disabled person's concession (other than a concession relating to parking) is available to a vehicle lawfully displaying a disabled person's badge; and
- (c) it would not have been practicable for the vehicle to have left that place if the concession had not applied to the vehicle.

#### Textual Amendments

**F48** Reg. 15 heading substituted (30.9.2007) by [The Disabled Persons \(Badges for Motor Vehicles\) \(England\) \(Amendment\) Regulations 2007 \(S.I. 2007/2531\)](#), regs. 1, **11(2)**

**F49** Word in reg. 15 substituted (30.9.2007) by [The Disabled Persons \(Badges for Motor Vehicles\) \(England\) \(Amendment\) Regulations 2007 \(S.I. 2007/2531\)](#), regs. 1, **11(1)**

#### Commencement Information

**I13** Reg. 15 in force at 1.4.2000, see [reg. 1\(1\)](#)

#### [<sup>F50</sup>Display of an organisational badge when a vehicle is parked]

**16.—(1)** This regulation prescribes for the purposes of section 21(4A) of the 1970 Act the circumstances in which an [<sup>F51</sup>organisational] badge may be displayed while a vehicle is parked.

(2) An [<sup>F51</sup>organisational] badge may be displayed on a vehicle while it is parked if it has been, or is to be, used by or on behalf of the holder for carrying a disabled person to or from the place where it is parked.

**Textual Amendments**

**F50** Reg. 16 heading substituted (30.9.2007) by [The Disabled Persons \(Badges for Motor Vehicles\) \(England\) \(Amendment\) Regulations 2007 \(S.I. 2007/2531\)](#), regs. 1, **11(2)**

**F51** Word in reg. 16 substituted (30.9.2007) by [The Disabled Persons \(Badges for Motor Vehicles\) \(England\) \(Amendment\) Regulations 2007 \(S.I. 2007/2531\)](#), regs. 1, **11(1)**

**Commencement Information**

**I14** Reg. 16 in force at 1.4.2000, see [reg. 1\(1\)](#)

Signed by the authority of the Secretary of State for the Environment, Transport and the Regions

*Keith Hill*  
Parliamentary Under Secretary of State,  
Department of the Environment, Transport and  
the Regions

9th March 2000

**Status:**

Point in time view as at 01/04/2012.

**Changes to legislation:**

There are currently no known outstanding effects for the The Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000.