
WELSH STATUTORY INSTRUMENTS

2016 No. 453 (W. 144)

ROAD TRAFFIC, WALES

The Disabled Persons (Badges for Motor Vehicles) (Wales) (Amendment) Regulations 2016

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| <i>Made</i> | - - - - | <i>29 March 2016</i> |
| <i>Laid before the National Assembly for Wales</i> | - - | <i>30 March 2016</i> |
| <i>Coming into force</i> | - - | <i>1 October 2016</i> |

The Welsh Ministers, in exercise of the powers conferred on the Secretary of State by section 21 of the Chronically Sick and Disabled Persons Act 1970⁽¹⁾, transferred to the National Assembly for Wales⁽²⁾ and now vested in them⁽³⁾, make the following Regulations.

Title, application and commencement

1.—(1) The title of these Regulations is the Disabled Persons (Badges for Motor Vehicles) (Wales) (Amendment) Regulations 2016 and they come into force on 1 October 2016.

(2) These Regulations apply in relation to Wales.

Amendment of Regulations

2.—(1) The Disabled Persons (Badges for Motor Vehicles) (Wales) Regulations 2000⁽⁴⁾ are amended in accordance with paragraphs (2) and (3).

(2) In regulation 4 (descriptions of disabled persons)—

- (a) at the end of paragraph (2)(g) for the full stop substitute a semi-colon;
- (b) after paragraph (2)(g) insert—

(1) 1970 c. 44. Section 21, so far as it relates to Wales was amended by the Road Traffic Regulation Act 1984 (c. 27) section 146, Schedule 13 paragraph 11 and the Road Traffic Act 1991 (c. 40) section 35, Schedule 8.

(2) Powers of the Secretary of State under section 21 of the Chronically Sick and Disabled Persons Act 1970 were transferred to the National Assembly for Wales by article 2 of, and Schedule 1 to, the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672).

(3) Powers of the National Assembly for Wales under section 21 of the Chronically Sick and Disabled Persons Act 1970 were transferred to the Welsh Ministers by virtue of section 162 of and paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (c. 32).

(4) S.I. 2000/1786 (W. 123); relevant amending instruments are S.I. 2011/1588 (W. 183), 2012/309 (W. 50), 2013/438 (W. 54) and 2014/3082 (W. 306).

“(h) is unable to walk or has considerable difficulty walking by reason of a temporary but substantial disability which is expected to last for a period of at least 12 months.”

(3) In regulation 6 (fee for issue and period of issue of a badge)—

(a) for paragraph (4)(c) substitute—

“(c) to a person falling within the description specified in regulation 4(2)(h), for a period of 1 year, beginning with the date of issue;”;

(b) after paragraph (4)(c) insert—

“(d) to a person not falling within subparagraph (a), (b) or (c) for a period of 3 years beginning with the date of issue.”

29 March 2016

Edwina Hart
Minister for Economy, Science and Transport,
one of the Welsh Ministers

EXPLANATORY NOTE

(This note is not part of the Regulations)

A disabled person's parking badge (known as a "Blue 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) (Wales) Regulations 2000 ("the Principal Regulations") make provision regarding the issue of badges by local authorities.

These Regulations amend the Principal Regulations to provide a description of disabled persons that captures people with a temporary but substantial disability that is expected to affect their mobility for at least twelve months.

Regulation 2(2) amends regulation 4 of the Principal Regulations to insert a new description of disabled persons that includes people who are more than 2 years old and who have a temporary but substantial disability. The person must be unable to walk, or have considerable difficulty in walking because of the disability and the disability must be expected to last for at least twelve months.

Regulation 2(3) amends regulation 6 of the Principal Regulations to provide the period for which badges are to be issued to people with temporary disabilities. The period of issue is one year.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, a regulatory impact assessment has been prepared as to the likely costs and benefits of complying with these Regulations. A copy can be obtained from the Transport Division, Crown Buildings, Cathays Park, Cardiff, CF10 3NQ.