



# Disabled Persons' Parking Badges (Scotland) Act 2014

2014 asp 17

**The Bill for this Act of the Scottish Parliament was passed by the Parliament on 19th August 2014 and received Royal Assent on 24th September 2014**

An Act of the Scottish Parliament to make provision about badges for display on motor vehicles used by disabled persons.

## **1 Form of badge**

In section 21 (badges for display on motor vehicles used by disabled persons) of the Chronically Sick and Disabled Persons Act 1970, for paragraph (b) of subsection (1A) there is substituted—

“(b) of a form which fulfils any requirements as to form prescribed or otherwise specified by the Scottish Ministers, in the case of a badge issued by a local authority in Scotland.”.

### **Commencement Information**

**II** [S. 1](#) in force at 30.3.2015 by [S.S.I. 2015/8](#), [art. 2](#)

## **2 Power to cancel badge**

In section 21(7AB) of the Chronically Sick and Disabled Persons Act 1970, the words “in England and Wales” are repealed.

### **Commencement Information**

**I2** [S. 2](#) in force at 30.3.2015 by [S.S.I. 2015/8](#), [art. 2](#)

## **3 Power to confiscate badge**

In section 21(4D) of the Chronically Sick and Disabled Persons Act 1970, the words “in England and Wales” are repealed.

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*Changes to legislation: There are currently no known outstanding effects for the Disabled Persons' Parking Badges (Scotland) Act 2014. (See end of Document for details)*

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#### Commencement Information

**I3** [S. 3](#) in force at 30.3.2015 by [S.S.I. 2015/8](#), [art. 2](#)

### 4 Offence of using cancelled badge

- (1) In section 21(4BZA) of the Chronically Sick and Disabled Persons Act 1970, the words “in England and Wales” are repealed.
- (2) In subsection (1ZA) of section 117 (wrongful use of disabled person's badge) of the Road Traffic Regulation Act 1984, the words “in its application to the use of a vehicle in England and Wales” are repealed.

#### Commencement Information

**I4** [S. 4](#) in force at 30.3.2015 by [S.S.I. 2015/8](#), [art. 2](#)

### 5 Enforcement officers

- (1) Section 21 of the Chronically Sick and Disabled Persons Act 1970 is amended as follows.
- (2) In subsection (4BA)—
  - (a) after the word “constable” in the opening words there is inserted “ or enforcement officer ”,
  - (b) in paragraph (a), after the word “constable” there is inserted “ or officer ”.
- (3) After subsection (4BB) there is inserted—
 

“(4BC) No offence is committed under subsection (4BB) if—

  - (a) the person requiring the badge to be produced is an enforcement officer, other than a traffic warden or parking attendant, and
  - (b) when requiring the badge to be produced, the officer does not produce appropriate evidence of the officer's authority to exercise the power under subsection (4BA).”.
- (4) For subsection (8A) there is substituted—
 

“(8A) In this section—

“constable” has the meaning given by section 99(1) of the Police and Fire Reform (Scotland) Act 2012,

“enforcement officer” means—

  - (a) a traffic warden,
  - (b) a parking attendant, or
  - (c) a person who—
    - (i) is employed by a local authority or by a person with whom the authority have made arrangements for the purposes of this section, and
    - (ii) is authorised in writing by the authority to exercise the powers in subsections (4BA) and (4D).”.