
STATUTORY INSTRUMENTS

2005 No. 1676 (C.70)

DISABLED PERSONS

The Disability Discrimination Act 2005
(Commencement No. 1) Order 2005

Made - - - - 23rd June 2005

The Secretary of State for Work and Pensions, in exercise of the powers conferred upon him by section 20(3) and (4)(a) of the Disability Discrimination Act 2005⁽¹⁾ hereby makes the following Order:

Citation and interpretation

1.—(1) This Order may be cited as the Disability Discrimination Act 2005 (Commencement No.1) Order 2005.

(2) In this Order—

“the Act” means the Disability Discrimination Act 2005;

“the 1995 Act” means the Disability Discrimination Act 1995⁽²⁾.

Appointed day

2.—(1) 30th June 2005 is the day appointed for the coming into force of the following provisions of the Act—

- (a) section 5 (application of sections 19 to 21 of the 1995 Act to transport vehicles);
- (b) section 16(2) (codes of practice);
- (c) paragraphs 1, 2(1) and (3), 3(1) to (4), 9, 13(1) to (3), 14 to 16, 18, 19(1) and (5), 24, 28(1) to (5) and (7), 30, 33(1) to (3), 34(1) and (5), 38(1), (3), (4) and (6) to (13), and 39(1) and (2) of Schedule 1 (minor and consequential amendments), and section 19(1) so far as relating to those paragraphs;
- (d) the entries in Schedule 2 (repeals and revocation) in respect of section 17A(1B) of, and Schedule 3A to, the 1995 Act, and section 19(2) so far as relating to those entries.

(1) 2005 c. 13.

(2) 1995 c. 50. The 1995 Act has been amended on several occasions. Significant amendments were made by the Disability Rights Commission Act 1999 (c. 17), the Special Educational Needs and Disability Act 2001 (c. 10), the Disability Discrimination Act 1995 (Amendment) Regulations 2003 (S.I.2003/1673), and the Disability Discrimination Act 1995 (Pensions) Regulations 2003 (S.I. 2003/2770).

(2) 30th June 2005 is the day appointed for the coming into force of the following provisions of the Act for the purpose only of exercising any power to make regulations, orders or rules of court—

- (a) section 2 (discrimination by public authorities) so far as it inserts sections 21D and 21E into the 1995 Act;
- (b) section 3 (duties of public authorities) so far as it inserts section 49D into the 1995 Act;
- (c) section 12 (private clubs) so far as it inserts sections 21G and 21H into the 1995 Act;
- (d) section 13 (discrimination in relation to letting of premises) so far as it inserts sections 24K and 24L into the 1995 Act;
- (e) section 17 (generalisation of section 56 of the 1995 Act);
- (f) section 18 (meaning of “disability”);
- (g) paragraphs 17, 23, and 33 (4) and (5) of Schedule 1, and section 19(1) so far as relating to those paragraphs.

Commencement of blue badge provisions in relation to England

3. 30th June 2005 is the day appointed for the coming into force so far as relating to England, of the following provisions of the Act—

- (a) section 9 (recognition of disabled persons' badges issued outside Great Britain);
- (b) Part 2 of Schedule 1 and section 19(1) so far as relating to that Part of that Schedule;
- (c) the entries in Schedule 2 in respect of the Road Traffic Regulation Act 1984⁽³⁾ and the Traffic Management Act 2004⁽⁴⁾, and section 19(2) so far as relating to those entries.

Signed by authority of the Secretary of State for Work and Pensions.

23rd June 2005

Anne C McGuire
Parliamentary Under Secretary of State,
Department for Work and Pensions

⁽³⁾ 1984 c. 27.

⁽⁴⁾ 2004 c. 18.

EXPLANATORY NOTE

(This note is not part of the Order)

This is the first Commencement Order to be made under the Disability Discrimination Act 2005 (“the Act”). The Act extensively amends the Disability Discrimination Act 1995 (“the 1995 Act”), and makes certain other provision.

The provisions referred to in articles 2 and 3 of this Order are brought into force on 30th June 2005.

Article 2(1) brings into force section 5 of the Act, which amends the 1995 Act as to the application of sections 19 to 21 (goods, facilities and services) of that Act to transport vehicles, and section 16(2) and paragraph 28(1) to (5) and (7) of Schedule 1, concerning codes of practice. The extent of section 16(2) is limited to England and Wales (section 20(9)).

Article 2(1) also brings into force various minor amendments and repeals to the 1995 Act.

Article 2(2) brings into force, for the purpose only of exercising any power to make regulations, orders or rules of court, a number of provisions amending the 1995 Act.

Article 3 brings into force the “blue badge provisions”, the extent of which is limited to England and Wales (section 20(8)), in relation to England only. The blue badge provisions are: section 9, Part 2 of Schedule 1, certain entries in Schedule 2 and section 19 so far as it relates to those provisions in those Schedules (section 20(10)).