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STATUTORY RULES OF NORTHERN IRELAND

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**1999 No. 202**

**DISABLED PERSONS**

**The Disability Discrimination (Services and Premises) Regulations (Northern Ireland) 1999**

*Made* - - - - *27th April 1999*  
*Coming into operation* *1st October 1999*

The Department of Health and Social Services, in exercise of the powers conferred on it by sections 21(5)(e) and (h) and 67(1) and (3) of the Disability Discrimination Act 1995(1) and of all other powers enabling it in that behalf, hereby makes the following Regulations:

**Citation, commencement and interpretation**

1.—(1) These Regulations may be cited as the Disability Discrimination (Services and Premises) Regulations (Northern Ireland) 1999 and shall come into operation on 1st October 1999.

(2) In these Regulations—

“the Act” means the Disability Discrimination Act 1995;

“building” means an erection or structure of any kind.

(3) The Interpretation Act (Northern Ireland) 1954(2) shall apply to these Regulations as it applies to a Measure of the Northern Ireland Assembly.

**Physical features**

2. For the purposes of section 21(2) of the Act the following are to be treated as physical features (whether permanent or temporary)—

- (a) any feature arising from the design or construction of a building on the premises occupied by the provider of services;
- (b) any feature on the premises occupied by the provider of services or any approach to, exit from or access to such a building;
- (c) any fixtures, fittings, furnishings, furniture, equipment or materials in or on the premises occupied by the provider of services;

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(1) 1995 c. 50; section 67 is modified in its application to Northern Ireland by paragraph 46 of Schedule 8  
(2) 1954 c. 33 (N.I.)

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**Status:** This is the original version (as it was originally made).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

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- (d) any fixtures, fittings, furnishings, furniture, equipment or materials brought on to premises other than those occupied by the provider of services by or on behalf of the provider of services, in the course of providing services to the public or to a section of the public, for the purpose of providing such services;
- (e) any other physical element or quality of any land comprised in the premises occupied by the provider of services.

### **Auxiliary Aids and Services**

**3.—**(1) For the purposes of section 21(4) of the Act the following are not to be treated as auxiliary aids or services—

devices, structures or equipment the installation, operation or maintenance of which would necessitate making a permanent alteration to or which would have a permanent effect on the physical fabric of premises, fixtures, fittings, furnishings, furniture, equipment or materials.

(2) This Regulation will cease to have effect on the coming into operation of section 21(2)(a), (b) and (c) of the Act.

Sealed with the Official Seal of the Department of Health and Social Services on

L.S.

27th April 1999.

*Bill Smith*  
Assistant Secretary

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## EXPLANATORY NOTE

*(This note is not part of the Regulations.)*

These Regulations are made under the Disability Discrimination Act 1995 (“the Act”). Section 21(2) of the Act concerns the duty of service providers, when a physical feature makes it impossible or unreasonably difficult for disabled persons to access its service, to remove the feature, alter it so it no longer has that effect, provide a reasonable means of avoiding it or provide a reasonable alternative method of making it available to disabled persons. These Regulations make provision for various things to be treated as physical features.

Section 21(4) of the Act concerns the duty of a service provider in certain circumstances to provide an auxiliary aid or service to disabled persons. These Regulations make provision for various things not to be treated as auxiliary aids or services until the coming into operation of section 21(2)(a), (b) and (c) of the Act.

A Regulatory Impact Assessment of the costs and benefits that these Regulations will have can be obtained by post from Robert Gray, Social Policy Branch, Department of Health and Social Services, Room C.4.22, Castle Buildings, Stormont, Belfast BT4 3PP.