

1999 No. 440

**DISABLED PERSONS**

**The Disability Discrimination (Description of Insurance Services) Regulations (Northern Ireland) 1999**

*Made* . . . . . 2nd November 1999

*Coming into operation* . . . . . 14th December 1999

The Department of Economic Development, in exercise of the powers conferred on it by Sections 18(3) and 67(1) to (3)(a) of the Disability Discrimination Act 1995(b) (“the Act”) 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 (Description of Insurance Services) Regulations (Northern Ireland) 1999 and shall come into operation on 14th December 1999.

(2) In these Regulations “employees” means the employer’s employees or a class of his employees.

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

*Description of Insurance Services*

**2.**—(1) For the purposes of the definition of “insurance services” in section 18(3) of the Act Group Insurance within the meaning of paragraph (2) is hereby prescribed.

(2) “Group Insurance” means an arrangement entered into between an insurer and an employer under which the insurer provides benefits to employees and under which all of the functions described in paragraph (3) below are either:—

(a) under the terms of the arrangement, solely exercisable by the insurer;  
or

(b) in practice, solely exercised by the insurer.

(3) The functions mentioned in paragraph (2) are:—

(a) the function of determining the criteria which employees will be required to meet in order to be eligible to receive benefits under the arrangement;

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(a) See Section 68 for the definition of “prescribed” and “regulations”.  
(b) 1995 c. 50 as it applies in Northern Ireland by virtue of section 70(6) and Schedule 8 thereof.  
(c) 1954 c. 33 (N.I.)

- (b) the function of determining the extent of the provision or the terms and conditions affecting the provision, of those benefits to the eligible employees; and
- (c) the function of determining the effect in individual cases of the application of the criteria for such eligibility or the terms and conditions for receipt of the benefits.

Sealed with the Official Seal of the Department of Economic Development on 2nd November 1999.

(L.S.)

*G. O'Doherty*  
Assistant Secretary

## EXPLANATORY NOTE

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

Section 18 of the Disability Discrimination Act 1995 (which applies in Northern Ireland by virtue of section 70(6) and Schedule 8 thereof) applies where an insurer enters into arrangements with an employer under which the employer's employees or a class of his employees receive or are given an opportunity to receive insurance services of a prescribed description provided by the insurer. It makes disability related discrimination by an insurer against an employee unlawful. These Regulations prescribe Group Insurance as defined in regulation 2 as an insurance service for the purpose of the section.

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