

2001 No. 439 (C. 22)

DISABLED PERSONS

**The Disability Discrimination Act 1995 (Commencement No. 8)
Order (Northern Ireland) 2001**

Made 27th December 2001

The Office of the First Minister and deputy First Minister, in exercise of the powers conferred on it by section 70(3) of the Disability Discrimination Act 1995(a) and of all other powers enabling it in that behalf, hereby makes the following Order:

Citation and interpretation

1.—(1) This Order may be cited as the Disability Discrimination Act 1995 (Commencement No. 8) Order (Northern Ireland) 2001.

(2) The Interpretation Act (Northern Ireland) 1954(b) shall apply to this Order as it applies to an Act of the Northern Ireland Assembly.

Appointed days

2.—(1) The day appointed for the coming into operation of the following provisions of the Disability Discrimination Act 1995 is 31st December 2001—

- (a) section 27(3) (definitions);
- (b) section 27(5) so far as it relates to the provisions referred to in sub-paragraph (c);
- (c) in Schedule 4—
 - (i) paragraph 8 (regulations), and
 - (ii) paragraph 9(c) (sub-leases etc.).

(2) The day appointed for the coming into operation of the following provisions of the Disability Discrimination Act 1995 is 1st October 2004—

- (a) section 21(2) (duty of providers of services to make adjustments) to the extent that it is not already in operation;
- (b) section 27(1), (2), (4) and, to the extent that it is not already in operation, (5);
- (c) the remaining provisions of Schedule 4 not already in operation, namely—

(a) 1995 c. 50; section 70(3) is modified in its application to Northern Ireland by paragraph 48(1) of Schedule 8; *see also* S.R. 1999 No. 481, Article 8(a) and Schedule 6, Part I for transfer of functions
(b) 1954 c. 33 (N.I.)
(c) Paragraph 9 of Schedule 4 is modified in its application to Northern Ireland by paragraph 51(5) of Schedule 8

- (i) paragraph 5 (failure to obtain consent to an alteration);
- (ii) paragraph 6 (reference to court); and
- (iii) paragraph 7 (joining lessors in proceedings under section 25).

Sealed with the Official Seal of the Office of the First Minister and deputy
First Minister on 27th December 2001.

(L.S.) *David Trimble* *Mark Durkin*
First Minister Deputy First Minister

EXPLANATORY NOTE

(This note is not part of the Order.)

This Order provides for the coming into operation—

- (a) on 31st December 2001 of certain regulations making powers, and some interpretation provisions, contained in section 27 of, and Schedule 4 to, the Disability Discrimination Act 1995 (“the Act”);
- (b) on 1st October 2004 of
 - (i) section 21(2) of the Act (to the extent that it is not already in operation) which relates to the duty of providers of services to make reasonable adjustments for disabled persons; and
 - (ii) section 27(1), (2), (4) and (to the extent that it is not already in operation) (5) of, and paragraphs 5, 6 and 7 of Schedule 4 to, the Act, which relate to obtaining the consent of a lessor to alterations to premises occupied under a lease; failure of a service provider to obtain such consent; referring a refusal by a lessor to grant unconditional consent to such an alteration to court; joining a lessor in proceedings under section 25.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order.)

The following provisions of the Disability Discrimination Act 1995, as modified in its application to Northern Ireland by Schedule 8 thereof, have been brought into operation by Commencement Orders made before the date of this Order:—

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.R. No.</i>
Sections 1, 2 and 3	30th May 1996	1996 No. 219 (C. 9)
Sections 4 and 5(1) to (5)	2nd December 1996	1996 No. 280 (C. 13)
Section 5(6) and (7)	11th July 1996	1996 No. 280 (C. 13)
Section 6(1) to (7), (11) and (12)	2nd December 1996	1996 No. 280 (C. 13)
Section 6(8), (9) and (10)	11th July 1996	1996 No. 280 (C. 13)
Sections 7, 8(1) to (5) and (8)	2nd December 1996	1996 No. 280 (C. 13)
Section 8(6) and (7)	11th July 1996	1996 No. 280 (C. 13)
Sections 9, 10, 11, 12(1), (2), (4) and (5)	2nd December 1996	1996 No. 280 (C. 13)
Section 12(3) and (6)	11th July 1996	1996 No. 280 (C. 13)
Section 13, 14(1) and (3)	2nd December 1996	1996 No. 280 (C. 13)
Section 14(2), (4) and (5)	1st October 1999	1999 No. 196 (C. 18)
Section 14(6)	11th July 1996	1996 No. 280 (C. 13)
Section 15(1)(a) and (2) to (10)	1st October 1999	1999 No. 196 (C. 18)
Section 16(1), (2) and (4)	2nd December 1996	1996 No. 280 (C. 13)

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.R. No</i>
Section 16(3) and (5) partially	30th May 1996	1996 No. 219 (C. 9)
Section 16(3) to the extent not previously in operation	2nd December 1996	1996 No. 560 (C. 27)
Section 16(5) to the extent not previously in operation	11th July 1996	1996 No. 280 (C. 13)
Section 17(1), (2) and (4)	2nd December 1996	1996 No. 280 (C. 13)
Section 17(3)	11th July 1996	1996 No. 280 (C. 13)
Section 18(1) and (2)	2nd December 1996	1996 No. 280 (C. 13)
Section 18(3) and (4)	11th July 1996	1996 No. 280 (C. 13)
Section 19(1)(a), (c) and (d), (2), (3), (4), (5)(a) and (b) and (6)	2nd December 1996	1996 No. 280 (C. 13)
Section 19(1)(b)	1st October 1999	1999 No. 196 (C. 18)
Section 19(5)(c)	11th July 1996	1996 No. 280 (C. 13)
Sections 20(1), (3) and (4), 22, 23 and 24(1) to (4)	2nd December 1996	1996 No. 280 (C. 13)
Section 20(2), (5) and (9)	1st October 1999	1999 No. 196 (C. 18)
Section 20(6), (7) and (8)	11th July 1996	1996 No. 280 (C. 13)
Section 21(1), (2)(d), (4), (6) and (10)	1st October 1999	1999 No. 196 (C. 18)
Section 21(3) and (5)	26th April 1999	1999 No. 196 (C.18)
Section 24(5)	11th July 1996	1996 No. 280 (C. 13)
Sections 25 and 26	2nd December 1996	1996 No. 280 (C. 13)
Section 28	30th May 1996	1996 No. 219 (C. 9)
Section 37 (for certain purposes)	1st June 2001	2001 No. 163 (C. 10)
(for all other purposes)	1st August 2001	2001 No. 163 (C. 10)
Section 38	1st June 2001	2001 No. 163 (C. 10)
Sections 46 and 47, and section 48 in so far as it relates to section 46	13th May 1998	1998 No. 183 (C. 6)
Sections 50, 51 and 52	2nd January 1996	1996 No. 1 (C. 1)
Sections 53, 54 and 56	11th July 1996	1996 No. 280 (C. 13)
Sections 55, 57 and 58	2nd December 1996	1996 No. 280 (C. 13)
Section 59	30th May 1996	1996 No. 219 (C. 9)
Sections 60 and 61	2nd December 1996	1996 No. 280 (C. 13)
Section 62(1), (2) and (7)	30th May 1996	1996 No. 219 (C. 9)
Sections 64 and 66	2nd December 1996	1996 No. 280 (C. 13)
Sections 67, 68(1) and 69	30th May 1996	1996 No. 219 (C. 9)
Section 68(2) to (5) and 70(4)	2nd December 1996	1996 No. 280 (C. 13)
Section 70(7) and Schedule 1 (with the exception of paragraph 7)	30th May 1996	1996 No. 219 (C. 9)
Schedule 1, paragraph 7	2nd December 1996	1996 No. 280 (C. 13)
Schedule 2	30th May 1996	1996 No. 219 (C. 9)

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.R. No</i>
Schedule 3 and Schedule 4, Part I, paragraphs 1 and 2	2nd December 1996	1996 No. 280 (C. 13)
Schedule 4, Part I, paragraph 3	11th July 1996	1996 No. 280 (C. 13)
Schedule 4, paragraph 4 and section 16(5) in so far as it relates to it	30th May 1996	1996 No. 219 (C. 9)
Schedule 5	2nd January 1996	1996 No. 1 (C. 1)
Schedule 6, Schedule 7 and section 70(5) in so far as is necessary to effect the repeal of sections 1, 6 to 14, 19 and 21 of the Disabled Persons (Employment) Act (Northern Ireland) 1945 and the Disabled Persons (Employment) Act (Northern Ireland) 1960	2nd December 1996	1996 No. 280 (C. 13)

£2.00

Published by The Stationery Office Limited

Printed in the UK by The Stationery Office Limited under the authority and superintendence of Carol Tullo, Controller of Her Majesty's Stationery Office being the Government Printer for Northern Ireland and the Officer appointed to print the Acts of the Northern Ireland Assembly
Dd. N10362. C3. 1/02. Gp. 130. 14567.