
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations provide for certain provisions in Part III of the Disability Discrimination Act 1995 (“the Act”) to apply to the providers of certain transport services.

The exemption from the application of certain parts of section 19(1) of the Act relating to discrimination in relation to goods, facilities and services is disapplied in respect of the provision of transport services by way of a vehicle of a kind listed in regulation 3.

The exemption from the application of certain parts of section 21 of the Act relating to the duty of providers of services to make adjustments in respect of practices, policies or procedures and in respect of the provision of auxiliary aids or services is disapplied in respect of the provision of transport services by way of a vehicle of a kind listed in regulation 4.

The exemption from the application of that part of section 21(2) of the Act relating to the duty of providers of services to take reasonable steps, where a physical feature makes it impossible or unreasonably difficult for a disabled person to use that service, to provide a reasonable alternative method of making the service available, is disapplied in respect of breakdown and recovery vehicles (regulation 5).

The exemption from the application of section 21(2) of the Act relating to the duty of providers of services to take various reasonable steps to overcome physical impediments to the use of a service by disabled persons is disapplied in respect of hire vehicles for the carriage of passengers which have no more than 8 passenger seats (M1 hire vehicles)(regulation 6).

Regulation 7 specifies, for the purposes of the application of section 21(4) of the Act to the vehicles described in regulations 4 and 5, what should not be classified as an auxiliary aid or service. Regulation 8 specifies, for the purposes of the application of section 21(2) of the Act to M1 hire vehicles, those parts of the vehicles which are to be treated as physical features, and those which are not.

A Regulatory Impact Assessment in relation to these Regulations has been placed in the library of the Northern Ireland Assembly. A copy of the assessment may be obtained from: Equality, Rights and Social Need Division, Office of the First Minister and deputy First Minister, Room E3.18, Castle Buildings, Stormont, Belfast, BT4 3SR.