

Status: Point in time view as at 01/10/2010.

Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995, Cross Heading: Evidence. (See end of Document for details)

SCHEDULES

SCHEDULE 3

SECTIONS [F117A(8)] AND 25(6)[F1, 31ADA] ENFORCEMENT AND PROCEDURE

Extent Information

- E1** In its application to Northern Ireland, this Schedule has effect subject to the modifications set out in Sch. 8; see s. 70(6)

Textual Amendments

- F1** Sch. 3: word in side note substituted (E.W.S.) (3.7.2003 for certain purposes and otherwise 1.10.2004) by [The Disability Discrimination Act 1995 \(Amendment\) Regulations 2003 \(S.I. 2003/1673\)](#), regs. 1(2)(3), **29(2)(a)** and same word substituted (N.I.) (21.2.2004 for certain purposes and otherwise 1.10.2004) by the [Disability Discrimination Act \(Amendment\) Regulations \(Northern Ireland\) 2004 \(S.R. 2004/55\)](#), regs. 1(2)(3), **28(2)(a)**
- F1** Sch. 3: word in sidenote inserted (E.W.S.) (1.9.2007) by [The Disability Discrimination Act 1995 \(Amendment etc.\) \(General Qualifications Bodies\) \(Alteration of Premises and Enforcement\) Regulations \(S.I. 2007/2405\)](#), regs. 1(2), 4(2)

PART II

DISCRIMINATION IN OTHER AREAS

Evidence

- 8 [F1(1) In any proceedings under section 25, a certificate signed by or on behalf of a Minister of the Crown and certifying—
- (a) that any conditions or requirements specified in the certificate were imposed by a Minister of the Crown and were in operation at a time or throughout a time so specified, or
 - (b) that an act specified in the certificate was done for the purpose of safeguarding national security,
- shall be conclusive evidence of the matters certified.
- (2) A document purporting to be such a certificate shall be received in evidence and, unless the contrary is proved, be deemed to be such a certificate.
- [F2(3) In any proceedings under section 25, a certificate signed by or on behalf of the Scottish Ministers and certifying that any conditions or requirements specified in the certificate—
- (a) were imposed by a member of the Scottish Executive, and
 - (b) were in operation at a time or throughout a time so specified,
- shall be conclusive evidence of the matters certified.

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- (4) In any proceedings under section 25, a certificate signed by or on behalf of the [^{F3}Welsh Ministers] and certifying that any conditions or requirements specified in the certificate—
- (a) were imposed by the [^{F4}National Assembly for Wales constituted by the Government of Wales Act 1998, the Welsh Ministers, the First Minister for Wales or the Counsel General to the Welsh Assembly Government], and
 - (b) were in operation at a time or throughout a time so specified,
- shall be conclusive evidence of the matters certified.
- (5) A document purporting to be such a certificate as is mentioned in sub-paragraph (3) or (4) shall be received in evidence and, unless the contrary is proved, be deemed to be such a certificate.]]

Extent Information

- E1** Following the repeal of this Act for E.W.S. by the Equality Act 2010, this provision now extends to Northern Ireland only and also has effect subject to the modifications for Northern Ireland set out in Sch. 8 para. 50(4); see s. 70(6)

Textual Amendments

- F1** Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279, Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279, art. 16](#)); [S.I. 2010/2317, art. 2\(15\)\(f\)](#) (with arts. 4-25, Schs. 1-16); [S.I. 2011/1066, art. 2\(h\)](#)
- F2** [Sch. 3 para. 8\(3\)-\(5\)](#) inserted (E.W.S.) (30.6.2005) by [Disability Discrimination Act 2005 \(c. 13\)](#), ss. 19(1), 20(3)-(6), [Sch. 1 para. 38\(6\)](#); [S.I. 2005/1676, art. 2\(1\)\(c\)](#)
- F3** Words in [Sch. 3 para. 8\(4\)](#) substituted by The Government of Wales Act 2006 (Consequential Modifications and Transitional Provisions) Order ([S.I. 2007/1388](#)), arts. 1, 3, {[Sch. 1 para. 63\(3\)\(a\)](#)}, the amending provision coming into force immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007) - see [s. 161\(5\)](#) of the Government of Wales Act 2006.
- F4** Words in [Sch. 3 para. 8\(4\)\(a\)](#) substituted by The Government of Wales Act 2006 (Consequential Modifications and Transitional Provisions) Order ([S.I. 2007/1388](#)), arts. 1, 3, {[Sch. 1 para. 63\(3\)\(b\)](#)}, the amending provision coming into force immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007) - see [s. 161\(5\)](#) of the Government of Wales Act 2006.

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