

Status: Point in time view as at 08/11/1995. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995, Paragraph 35. (See end of Document for details)

SCHEDULES

SCHEDULE 8

MODIFICATIONS OF THIS ACT IN ITS APPLICATION TO NORTHERN IRELAND

Extent Information

- E1** Sch. 8 extends to the United Kingdom but the operation of Sch. 8 is limited by application as mentioned in s. 70(6).

35 For section 52 substitute—

“52 Further provisions about codes issued under section 51.

(1) In this section—

“proposal” means a proposal made by the Council to a Northern Ireland department under section 51;

“responsible department”—

(a) in relation to a proposal, means the Northern Ireland department to which the proposal is made,

(b) in relation to a code, means the Northern Ireland department by which the code is issued; and

“statutory period” has the meaning assigned to it by section 41(2) of the Interpretation Act (Northern Ireland) 1954.

(2) In preparing any proposal, the Council shall consult—

(a) such persons (if any) as the responsible department has specified in making its request to the Council; and

(b) such other persons (if any) as the Council considers appropriate.

(3) Before making any proposal the Council shall publish a draft, consider any representations made to it about the draft and, if it thinks it appropriate, modify its proposal in the light of any of those representations.

(4) Where the Council makes any proposal, the responsible department may—

(a) approve it;

(b) approve it subject to such modifications as that department thinks appropriate; or

(c) refuse to approve it.

(5) Where the responsible department approves any proposal (with or without modifications) that department shall prepare a draft of the proposed code and lay it before the Assembly.

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- (6) If, within the statutory period, the Assembly resolves not to approve the draft, the responsible department shall take no further steps in relation to the proposed code.
- (7) If no such resolution is made within the statutory period, the responsible department shall issue the code in the form of its draft.
- (8) The code shall come into force on such date as the responsible department may appoint by order.
- (9) Subsection (6) does not prevent a new draft of the proposed code from being laid before the Assembly.
- (10) If the responsible department refuses to approve a proposal, that department shall give the Council a written statement of the department's reasons for not approving it.
- (11) The responsible department may by order revoke a code.”.

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