

*Status: Point in time view as at 16/07/2001. This version of this provision has been superseded.*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 [<sup>F1</sup>the Equality Commission for Northern Ireland] 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, [<sup>F1</sup>the Equality Commission for Northern Ireland] shall consult—

- (a) such persons (if any) as the responsible department has specified in making its request to [<sup>F1</sup>the Equality Commission for Northern Ireland]; and
- (b) such other persons (if any) as [<sup>F1</sup>the Equality Commission for Northern Ireland] considers appropriate.

(3) Before making any proposal [<sup>F1</sup>the Equality Commission for Northern Ireland] 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 [<sup>F1</sup>the Equality Commission for Northern Ireland] makes any proposal, the responsible department may—

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

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- (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.
- (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 [<sup>F1</sup>the Equality Commission for Northern Ireland] 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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**Textual Amendments**

**F1** Words in [Sch. 8](#) substituted (1.10.1999) by [1998 c. 47, s. 99](#), [Sch. 13 para. 16\(2\)\(a\)](#) (with [s. 95](#)); [S.I. 1999/2204](#), [art. 3](#)

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