

2010 No. 341 (C. 27)

DISABLED PERSONS

**The Disability Discrimination Act 2005 (Commencement No. 4)
Order 2010**

Made - - - - *11th February 2010*

The Secretary of State for Transport makes the following Order in exercise of the powers conferred by section 20(3) and (6) of the Disability Discrimination Act 2005(a).

Citation and interpretation

1.—(1) This Order may be cited as the Disability Discrimination Act 2005 (Commencement No. 4) Order 2010.

(2) In this Order “the Act” means the Disability Discrimination Act 2005.

Appointed days

2.—(1) 22nd February 2010 is the day appointed for the coming into force of the following provisions of the Act for the purpose of exercising any power to make regulations or orders—

- (a) section 6 (rail vehicles: application of accessibility regulations)(b), in so far as it is not already in force,
- (b) paragraph 27 of Schedule 1 (minor and consequential amendments), and section 19(1) in so far as it relates to that paragraph, and
- (c) the entries in Schedule 2 (repeals and revocation) in respect of section 46 (3), (4), (6) and (10) and section 48 of the Disability Discrimination Act 1995(c), and section 19(2) in so far as it relates to those entries.

(2) 6th April 2010 is the day appointed for the coming into force of the following provisions of the Act—

- (a) section 6, for all other purposes in so far as it is not already in force,
- (b) paragraph 27 of Schedule 1 for all other purposes, and section 19(1) in so far as it relates to that paragraph,
- (c) the entries in Schedule 2 in respect of section 46 (3), (4), (6) and (10) and section 48 of the Disability Discrimination Act 1995 for all other purposes, and section 19(2) in so far as it relates to those entries, and
- (d) the entries in Schedule 2 (repeals and revocation) in respect of section 46(8) and (9) of the Disability Discrimination Act 1995, and section 19(2) in so far as it relates to those entries.

(a) 2005 c.13.
(b) Section 6(2) was substituted by S.I. 2008/1746, regulation 3.
(c) 1995 c.50.

Signed by authority of the Secretary of State for Transport

C. D. Mole
Parliamentary Under Secretary of State
Department for Transport

11th February 2010

EXPLANATORY NOTE

(This note is not part of the Order)

This Order is the fourth Commencement Order to be made in relation to the Disability Discrimination Act 2005 (“the Act”). The Act extensively amends the Disability Discrimination Act 1995 (“the 1995 Act”).

Article 2(1) commences various provisions of the Act on 22nd February 2010, but only for the purpose of enabling the exercise of powers to make regulations or orders. Those provisions are the duty to secure that all rail vehicles are subject to rail vehicle accessibility regulations by 2020 (*article 2(1)(a)*); the adjustment of the definition of “rail vehicle” to mainly include passenger vehicles used on light rail systems (e.g. metro, underground and tramways including prescribed guided transport systems) and to include pre 1999 vehicles (*article 2(1)(a)*); the repeal of the offence of breach of rail vehicle accessibility regulations (*article 2(1)(b) and (c)*); and some minor amendments and repeals (*article 2(1)(b) and (c)*).

Article 2(2)(a) to (c) commence those provisions, for all other purposes, on 6th April 2010.

Article 2(2)(d) commences certain other provisions of the Act on 6th April 2010. Those provisions repeal the power of the Secretary of State to make regulations to make provision as to the time when a rail vehicle, or a class of rail vehicle, is to be treated as first brought into use.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The following provisions of the Disability Discrimination Act 2005 have been brought into force by commencement order made before the date of this Order.

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 1 (partially)	5th December 2005	2005/2774
Section 1 (remainder)	4th December 2006	2005/2774
Section 2 (partially)	30th June 2005	2005/1676
Section 2 (remainder)	4th December 2006	2005/2774
Section 3 (partially)	30th June 2005	2005/1676
Section 3 (partially)	5th December 2005	2005/2774
Section 3 (remainder)	4th December 2006	2005/2774
Section 4	5th December 2005	2005/2774
Section 5	30th June 2005	2005/1676
Section 6(3) to (5)	5th December 2005	2005/2774
Section 9 as to England	30th June 2005	2005/1676
Section 9 as to Wales	30th March 2008	2007/3285 (W.289)
Section 10	5th December 2005	2005/2774
Section 11	5th December 2005	2005/2774
Section 12 (partially)	30th June 2005	2005/1676
Section 12 (partially)	10th October 2005	2005/2774
Section 12 (remainder)	5th December 2005	2005/2774
Section 13 (partially)	30th June 2005	2005/1676
Section 13 (remainder)	4th December 2006	2005/2774
Section 14	4th December 2006	2005/2774

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 15 (partially)	11th June 2007	2007/1555
Section 15 (remainder)	1st September 2007	2007/1555
Section 16(2)	30th June 2005	2005/1676
Section 16 (remainder)	4th December 2006	2005/2774
Section 17 (partially)	30th June 2005	2005/1676
Section 17 (partially)	5th December 2005	2005/2774
Section 17 (remainder)	4th December 2006	2005/2774
Section 18 (partially)	30th June 2005	2005/1676
Section 18 (remainder)	5th December 2005	2005/2774
Section 19(1), as to England, so far as relating to Schedule 1 Part 2	30th June 2005	2005/1676
Section 19(1), as to Wales, so far as relating to Schedule 1 Part 2	30th March 2008	2007/3285 (W.289)
Section 19(2), as to England, so far as relating to the entries in Schedule 2 in respect of the Road Traffic Regulation Act 1984 ⁽¹⁾ and the Traffic Management Act 2004 ⁽²⁾	30th June 2005	2005/1676
Section 19(2), as to Wales, so far as relating to the entries in Schedule 2 in respect of the Road Traffic Regulation Act 1984 and the Traffic Management Act 2004	30th March 2008	2007/3285 (W.289)
Section 19 (partially)	30th June 2005	2005/1676
Section 19 (partially)	10th October 2005	2005/2774
Section 19 (partially)	5th December 2005	2005/2774
Section 19 (partially)	4th December 2006	2005/2774
Section 19 (partially)	1st September 2007	2007/1555
Schedule 1, Part 1, paragraph 1	30th June 2005	2005/1676
Schedule 1, Part 1, paragraph 2(1)	30th June 2005	2005/1676
Schedule 1, Part 1, paragraph 2(2)	5th December 2005	2005/2774
Schedule 1, Part 1, paragraph 2(3)	30th June 2005	2005/1676
Schedule 1, Part 1, paragraph 2 (remainder)	4th December 2006	2005/2774
Schedule 1, Part 1, paragraph 3(1) to (4)	30th June 2005	2005/1676
Schedule 1, Part 1, paragraphs 3 (remainder) to 6	5th December 2005	2005/2774
Schedule 1, Part 1, paragraph 7(a) (partially)	5th December 2005	2005/2774
Schedule 1, Part 1, paragraph 7(b)	5th December 2005	2005/2774
Schedule 1, Part 1, paragraph 7 (remainder)	4th December 2006	2005/2774
Schedule 1, Part 1, paragraph 8(1)	5th December 2005	2005/2774
Schedule 1, Part 1, paragraph 8(2) (partially)	5th December 2005	2005/2774
Schedule 1, Part 1, paragraph 8(3)	5th December 2005	2005/2774
Schedule 1, Part 1, paragraph 8 (remainder)	4th December 2006	2005/2774
Schedule 1, Part 1, paragraph 9	30th June 2005	2005/1676
Schedule 1, Part 1, paragraph 10	5th December 2005	2005/2774
Schedule 1, Part 1, paragraphs 11 and 12	4th December 2006	2005/2774
Schedule 1, Part 1, paragraph 13(1) to (3)	30th June 2005	2005/1676
Schedule 1, Part 1, paragraph 13 (remainder)	4th December 2006	2005/2774
Schedule 1, Part 1, paragraphs 14 to 16	30th June 2005	2005/1676
Schedule 1, Part 1, paragraph 17 (partially)	30th June 2005	2005/1676

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Schedule 1, Part 1, paragraph 17 (remainder)	4th December 2006	2005/2774
Schedule 1, Part 1, paragraph 18	30th June 2005	2005/1676
Schedule 1, Part 1, paragraph 19(1) and (5)	30th June 2005	2005/1676
Schedule 1, Part 1, paragraph 19 (remainder)	4th December 2006	2005/2774
Schedule 1, Part 1, paragraph 20	4th December 2006	2005/2774
Schedule 1, Part 1, paragraphs 21 and 22	5th December 2005	2005/2774
Schedule 1, Part 1, paragraph 23 (partially)	30th June 2005	2005/1676
Schedule 1, Part 1, paragraph 23 (remainder)	4th December 2006	2005/2774
Schedule 1, Part 1, paragraph 24	30th June 2005	2005/1676
Schedule 1, Part 1, paragraph 25	1st September 2007	2007/1555
Schedule 1, Part 1, paragraph 26	5th December 2005	2005/2774
Schedule 1, Part 1, paragraph 28 (1) to (5) and (7)	30th June 2005	2005/1676
Schedule 1, Part 1, paragraph 28 (remainder)	4th December 2006	2005/2774
Schedule 1, Part 1, paragraph 29 (1) and (3) to (5)	5th December 2005	2005/2774
Schedule 1, Part 1, paragraph 29 (remainder)	4th December 2006	2005/2774
Schedule 1, Part 1, paragraph 30	30th June 2005	2005/1676
Schedule 1, Part 1, paragraph 31 (partially)	5th December 2005	2005/2774
Schedule 1, Part 1, paragraph 31 (remainder)	4th December 2006	2005/2774
Schedule 1, Part 1, paragraph 32	5th December 2005	2005/2774
Schedule 1, Part 1, paragraph 33(1) to (3)	30th June 2005	2005/1676
Schedule 1, Part 1, paragraph 33(4) and (5) (partially)	30th June 2005	2005/1676
Schedule 1, Part 1, paragraph 33 (remainder)	5th December 2005	2005/2774
Schedule 1, Part 1, paragraph 34(1)	30th June 2005	2005/1676
Schedule 1, Part 1, paragraph 34(2) (partially)	5th December 2005	2005/2774
Schedule 1, Part 1, paragraph 34(3) and (4)	5th December 2005	2005/2774
Schedule 1, Part 1, paragraph 34(5)	30th June 2005	2005/1676
Schedule 1, Part 1, paragraph 34(6)	10th October 2005	2005/2774
Schedule 1, Part 1, paragraph 34 (remainder)	4th December 2006	2005/2774
Schedule 1, Part 1, paragraph 35	4th December 2006	2005/2774
Schedule 1, Part 1, paragraph 36	5th December 2005	2005/2774
Schedule 1, Part 1, paragraph 37(1) and (2)	5th December 2005	2005/2774
Schedule 1, Part 1, paragraph 37(3), (4)(b) and (5)(b)	1st September 2007	2007/1555
Schedule 1, Part 1, paragraph 37(4)(a), (5)(a) and (6)	4th December 2006	2005/2774
Schedule 1, Part 1, paragraph 38(1)	30th June 2005	2005/1676
Schedule 1, Part 1, paragraph 38(2)	5th December 2005	2005/2774
Schedule 1, Part 1, paragraph 38(3), (4) and (6) to (13)	30th June 2005	2005/1676

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Schedule 1, Part 1, paragraph 38 (remainder)	4th December 2006	2005/2774
Schedule 1, Part 1, paragraph 39(1) and (2)	30th June 2005	2005/1676
Schedule 1, Part 1, paragraph 39 (remainder)	5th December 2005	2005/2774
Schedule 1, Part 1, paragraph 40(1), (2), (5) and (6)	5th December 2005	2005/2774
Schedule 1, Part 1, paragraph 40 (remainder)	4th December 2006	2005/2774
Schedule 1, Part 2, as to England	30th June 2005	2005/1676
Schedule 1, Part 2, as to Wales	30th March 2008	2007/3285 (W.289)
Schedule 1, Part 3, paragraph 49	5th December 2005	2005/2774
Schedule 1, Part 3, paragraph 50(1)	5th December 2005	2005/2774
Schedule 1, Part 3, paragraph 50(2), (3) and (4)(b)	4th December 2006	2005/2774
Schedule 1, Part 3, paragraph 50(4)(a) and (5)	1st September 2007	2007/1555
Schedule 1, Part 3, paragraph 50(6)	5th December 2005	2005/2774
Schedule 1, Part 3, paragraph 50(7)	4th December 2006	2005/2774
Schedule 2, as to England, the entries in respect of the Road Traffic Regulation Act 1984 and the Traffic Management Act 2004	30th June 2005	2005/1676
Schedule 2, as to Wales, the entries in respect of the Road Traffic Regulation Act 1984 and the Traffic Management Act 2004	30th March 2008	2007/3285 (W.289)
Schedule 2, the entries in respect of sections 16A(2)(b) and 16B(3)(i) of the Disability Discrimination Act 1995	5th December 2005	2005/2774
Schedule 2, the entry in respect of section 17A(1B) of the Disability Discrimination Act 1995	30th June 2005	2005/1676
Schedule 2, the entries in respect of sections 18, 55(6) and 68(1) of, and paragraph 1(1) of Schedule 1 to, the Disability Discrimination Act 1995	5th December 2005	2005/2774
Schedule 2, the entry in respect of Schedule 3A to the Disability Discrimination Act 1995	30th June 2005	2005/1676
Schedule 2, the entry in respect of the Disability Rights Commission Act 1999 ⁽³⁾	5th December 2005	2005/2774
Schedule 2, the entry in respect of the Scotland Act 1998 (Transfer of Functions to the Scottish Ministers etc.) Order 1999 ⁽⁴⁾	5th December 2005	2005/2774
Schedule 2, the entry in respect of the Special Educational Needs and Disability Act 2001 ⁽⁵⁾	4th December 2006	2005/2774

⁽¹⁾ 1984 c. 27.

⁽²⁾ 2004 c. 18.

⁽³⁾ 1999 c. 17.

⁽⁴⁾ S.I. 1999/1750.

⁽⁵⁾ 2001 c. 10.

STATUTORY INSTRUMENTS

2010 No. 341 (C. 27)

DISABLED PERSONS

The Disability Discrimination Act 2005 (Commencement No. 4)
Order 2010

£4.00