STATUTORY RULES OF NORTHERN IRELAND

2005 No. 293

DISABLED PERSONS

The Disability Discrimination Codes of Practice (Employment and Occupation, and Trade Organisations and Qualifications Bodies) (Appointed Day) Order (Northern Ireland) 2005

Made - - - - 10th June 2005

The Office of the First Minister and deputy First Minister, in exercise of the powers conferred on it by section 54A(6)(a) and 67(2) and (3)(a) of the Disability Discrimination Act 1995(**1**) and now vested in it(**2**) and of every other power enabling it in that behalf, hereby makes the following Order:

Citation and Interpretation

1.—(1) This Order may be cited as the Disability Discrimination Codes of Practice (Employment and Occupation, and Trade Organisations and Qualifications Bodies) (Appointed Day) Order (Northern Ireland) 2005.

(2) In this Order, "the 1995 Act" means the Disability Discrimination Act 1995.

(3) The Interpretation Act (Northern Ireland) 1954(**3**) shall apply to this Order as it applies to an Act of the Assembly.

Codes of Practice

2.—(1) The Disability Discrimination Act 1995 Code of Practice on Employment and Occupation; and the Disability Discrimination Act 1995 Code of Practice for Trade Organisations and Qualifications Bodies(**4**) issued by the Commission under section 54A of the Disability Discrimination Act 1995 on 8th June 2005 shall come into effect on 13th June 2005.

(2) Paragraph (1) has effect subject to the provisions of Article 3.

(**1**) 1995 c. 50; section 54A was inserted by Article 11 of the Equality (Disability, etc) (Northern Ireland) Order 2000 (S.I.2000/1110 (N.I. 2)) and amended by regulation 20 of the Disability Discrimination Act 1995 (Amendment) Regulations 2004 (S.R. 2004 No. 55). Section 67(3) is modified in its application to Northern Ireland by paragraph 46 of Schedule 8

(**2**) *See*S.R. 1999 No. 481; Article 4(a) and Schedule 2, Part I and Article 8(a) and Schedule 6, Part I for transfer of functions

(**3**) 1954 c. 33 (N.I.)

(**4**) A draft of which was submitted to and approved by the Office of the First Minister and deputy First Minister in accordance with section 54A(4) of the Disability Discrimination Act 1995

Transitional Provision

3.—(1) This Article applies where a court or tribunal is hearing any proceedings arising from a complaint (whenever presented) alleging that a person has, before 1st October 2004, committed an act which is unlawful discrimination for the purposes of any provision of Part II of the 1995 Act.

(2) Where this Article applies, a Code of Practice referred to in Article 2(1) of this Order shall not have effect for the purposes of section 54A(8) of the 1995 Act save to the extent referred to in paragraph (3).

(3) Where the proceedings arise from a complaint presented to a tribunal before, but not determined by, 1st October 2004, a Code referred to in Article 2(1) shall have effect for the purposes of section 54A(8) of the 1995 Act to the extent that the Code deals with a matter to which section 17A(1B) of the 1995 Act applies(**5**).

Sealed with the Official Seal of the Office of the First Minister and deputy First Minister on 10th June 2005.

Gerard Mulligan
A senior officer of the Office of the First Minister and deputy First Minister

(**5**) Section 17A(1B) is inserted by regulation 9 of S.R. 2004 No. 55 with effect from 1st October 2004. (That regulation also renumbers section 8 of the 1995 Act as section 17A.) Regulation 2(1) of the same S.R. makes transitional provision with regard to section 17A(1B) of the Act in relation to a complaint presented to an industrial tribunal before, but not determined by, 1st October 2004