STATUTORY RULES OF NORTHERN IRELAND

1996 No. 280 (C. 13)

DISABLED PERSONS

The Disability Discrimination Act 1995 (Commencement No. 3 and Saving and Transitional Provisions) Order (Northern Ireland) 1996

Made - - - - 10th July 1996

The Department of Health and Social Services, in exercise of the powers conferred on it by sections 67(3) and 70(3) of the Disability Discrimination Act 1995(**1**) and of all other powers enabling it in that behalf, hereby makes the following Order:

Citation and interpretation

1.—(1) This Order may be cited as the Disability Discrimination Act 1995 (Commencement No. 3 and Saving and Transitional Provisions) Order (Northern Ireland) 1996.

(2) In this Order references to sections and Schedules are references to sections of and Schedules to the Disability Discrimination Act 1995.

(3) The Interpretation Act (Northern Ireland) 1954(**2**) shall apply to this Order as it applies to a Measure of the Northern Ireland Assembly.

Appointed days

2.—(1) The day appointed for the coming into operation of the provisions specified in Part I of the Schedule to this Order is 11th July 1996.

(2) The day appointed for the coming into operation of the provisions specified in Part II of the Schedule to this Order, subject to the saving and transitional provisions set out in Article 3, is 2nd December 1996.

Saving and transitional provisions

3. Notwithstanding the repeal of sections 9 to 11, 12, 14 and 19 of the Disabled Persons (Employment) Act (Northern Ireland) 1945(**3**) by the bringing into operation by this Order of section 61(**4**) and Schedule 7(**5**):

(**1**) 1995 c. 50; Sections 67(3) and 70(3) are modified in their application to Northern Ireland by paragraphs 46 and 48(1) respectively of Schedule 8
(**2**) 1954 c. 33 (N.I.)
(**3**) 1945 c. 6 (N.I.)

(a) sections 9, 12 and 19 of the Disabled Persons (Employment) Act (Northern Ireland) 1945 shall continue to have effect so as to allow prosecutions to be brought until 3rd December 1997 against persons alleged to have contravened section 9(2), section 9(5) or section 12(2) of that Act prior to but excluding 2nd December 1996;

(b) section 14 of the Disabled Persons (Employment) Act (Northern Ireland) 1945 and regulation 9 of the Disabled Persons (General) Regulations (Northern Ireland) 1946(**6**) shall continue to have effect so as to allow prosecutions to be brought until 3rd December 1997 against persons alleged to have contravened section 9(2), section 9(5) or section 12(2) of that Act prior to but excluding 2nd December 1996 and, where it is alleged that contravention of section 14(6) or section 14(7) of that Act hinders such prosecution, so as to allow prosecutions to be brought against persons alleged to have contravened those subsections.

Sealed with the Official Seal of the Department of Health and Social Services on

10th July 1996.

J. J. M. Harbison
Under Secretary

(**4**) Section 61 is modified in its application to Northern Ireland by paragraph 41 of Schedule 8
(**5**) Schedule 7 is modified in its application to Northern Ireland by paragraph 53 of Schedule 8
(**6**) S.R.&O. (N.I.) 1946 No. 31

SCHEDULE Article 2

Part I

Provisions coming into Operation on 11th July 1996

Provision of the Disability Discrimination Act 1995	Subject matter
Section 5(6) and (7).	Meaning of "discrimination".
Section 6(8), (9) and (10).	Duty of employer to make adjustments.
Section 8(6) and (7)(**7**).	Enforcement, remedies and procedure.
Section 12(3) and (6).	Discrimination against contract workers.
Section 14(6).	Meaning of "discrimination" in relation to trade organisations.
Section 16(5) to the extent not already in force.	Alterations to premises occupied under leases.
Section 17(3).	Occupational pension schemes.
Section 18(3) and (4).	Insurance services.
Section 19(5)(*c*).	Discrimination in relation to goods, facilities and services.
Section 20(6), (7)(**8**) and (8).	Meaning of "discrimination".
Section 24(5).	Meaning of "discrimination".
Section 53(**9**).	Codes of practice prepared by the Department of Economic Development.
Section 54(**10**).	Further provision about codes issued under section 53.
Section 56(**11**).	Help for persons suffering discrimination.
Schedule 4, Part I, paragraph 3.	Premises occupied under leases — occupation by employer or trade organisation.

Part II

Provisions coming into Operation on 2nd December 1996

Section 4(**12**).	Discrimination against applicants and employees.

(**7**) Section 8(7) is modified in its application to Northern Ireland by paragraph 5(2) of Schedule 8
(**8**) Section 20(7) is modified in its application to Northern Ireland by paragraph 10 of Schedule 8
(**9**) Section 53 is modified in its application to Northern Ireland by paragraph 36 of Schedule 8
(**10**) Section 54 is modified in its application to Northern Ireland by paragraph 37 of Schedule 8
(**11**) Section 56 is modified in its application to Northern Ireland by paragraph 38 of Schedule 8
(**12**) Section 4 is modified in its application to Northern Ireland by paragraph 3 of Schedule 8