STATUTORY INSTRUMENTS

1982 No. 1535 (N.I. 18)

The Disabled Persons (Northern Ireland) Order 1982

- - - - - - *27th October 1982*

Title and commencement

1.—(1) This Order may be cited as the Disabled Persons (Northern Ireland) Order 1982.

(2) This Order, except Article 8, shall come into operation on the expiration of the period of three months beginning with the date on which it is made.

(3) Article 8 shall come into operation on such date as the Head of the Department of the Environment may by order appoint.

Interpretation

2.—(1) The Interpretation Act (Northern Ireland) 1954[F1] shall apply to Article 1 and the following provisions of this Order as it applies to a Measure of the Northern Ireland Assembly.

(2) In this Order "the Act of 1978" means the Chronically Sick and Disabled Persons (Northern Ireland) Act 1978.[F2]

F1 1954 c. 33 (NI)
F2 1978 c. 53

Art. 3 rep. by 1993 NI 15

Art. 4 rep. by 1997 NI 2

Art. 5 rep. by 1991 NI 11

Duty to draw attention to provisions as to access—Sanitary appliances at places of entertainment

6. In section 44 of the Public Health Acts Amendment Act 1907[F3] (compulsory provision of urinals and sanitary conveniences)—

(a) the following subsection shall be inserted after subsection (2)—

"(2A) A notice under subsection (1) or (2) shall draw the attention of the person on whom it is served—

(a) to sections 6 and 7 of the Chronically Sick and Disabled Persons (Northern Ireland) Act 1978; and

(b) to the Code of Practice for Access for the Disabled to Buildings." ;

(b) the following subsection shall be inserted after subsection (3)—

"(3A) In subsection (2A) "the Code of Practice for Access for the Disabled to Buildings" has the same meaning as in section 4(1A) of the Chronically Sick and Disabled Persons (Northern Ireland) Act 1978." .

F3 1907 c. 53

Signs indicating provision for disabled

7. The following section shall be substituted for section 7 of the Act of 1978—

(1) "(7) Where any provision required by or under section 4, 5, 6 or 8 is made at a building or premises—

(a) a notice or sign indicating that provision is made for the disabled shall be displayed outside the building or premises or so as to be visible from outside the building or premises; and

(b) notices or signs shall be displayed in the building or on the premises indicating the places where such provision is made and appropriate routes for persons who are disabled to get to those places.

(2) Subsection (1)(a) applies to a sanitary convenience provided elsewhere than in a building, and not itself being a building, as it applies to a building.

(3) Where parking facilities for persons who are disabled are provided under section 4, notices or signs shall be displayed indicating an appropriate route for such persons to get from the place where the parking facilities are provided to the building or premises in connection with which they are provided." .

PROSPECTIVE

Further provision as regards needs of disabled

8.—(1) In each of sections 4(1), 5(1), 6 and 8(1) of the Act of 1978 (which impose on persons undertaking the provision of public buildings, etc. certain duties as regards the needs of the disabled)—

(a) for the words "provision, in so far as it is in the circumstances both practicable and reasonable" there shall be substituted the words " appropriate provision "; and

(b) at the end there shall be added the words " unless such body as may be prescribed by the Department of the Environment for Northern Ireland is satisfied, after carrying out any procedures which may be so prescribed, that in the circumstances it is either not practicable to make such provision or not reasonable that such provision should be made. ".

(2) After section 4(1) of the Act of 1978 there shall be inserted the following subsection—

"(1A) In subsection (1)—

"appropriate provision" in relation to any case means provision conforming with so much of the Code of Practice for Access for the Disabled to Buildings as is relevant to that case;

"prescribed" means prescribed by regulations;

and in this subsection "the Code of Practice for Access for the Disabled to Buildings" means the British Standards Institution Code of practice referred to as BS 5810: 1979." .

(3) After sections 5(1) and 8(1) of the Act of 1978, the following words shall be inserted as sections 5(1A) and 8(1A) respectively—

"Subsection (1A) of section 4 shall apply in relation to the interpretation of subsection (1) as it applies in relation to the interpretation of subsection (1) of that section." .

(4) Section 6 of the Act of 1978 shall be re-numbered as section 6(1) and the words set out in paragraph (3) shall be inserted as subsection (2) of that section.

(5) Section 18 of the Act of 1978 shall be re-numbered as section 18(1) and at the end the following subsection shall be added—

"(2) The Department of the Environment for Northern Ireland may be regulations amend the definition of "the Code of Practice for Access for the Disabled to Buildings" in section 4(1A)." .

Duty of Department of the Environment for Northern Ireland to report on proposals as to access to buildings, etc. for disabled persons

9. The following section shall be inserted after section 8 of the Act of 1978—

"Report by Department of the Environment for Northern Ireland on improvement of means of access.

(1) The Department of the Environment for Northern Ireland shall lay before the Northern Ireland Assembly a report on its proposals for ensuring or facilitating the improvement of means of access for disabled persons—

(a) to buildings or premises such as are mentioned in sections 4 and 8;

(b) to public sanitary conveniences; and

(c) to sanitary conveniences provided in any of the places mentioned in subsection (2).

(2) The places referred to in subsection (1)(c) are—

(a) a place which is normally used or is proposed to be normally used for any of the following purposes, namely—

(i) the holding of any entertainment, exhibition or sporting event to which members of the public are admitted either as spectators or otherwise,

(ii) the sale of food or drink to members of the public for consumption at the place;

(b) a place which is used on some occasion or occasions or is proposed to be used on some occasion or occasions for any of the purposes aforesaid, and

(c) a betting office." .

Status:
This version of this Order contains provisions that are prospective.

Changes to legislation:
There are currently no known outstanding effects for the The Disabled Persons (Northern Ireland) Order 1982.