

*These notes refer to the Autism Act (Northern Ireland)
2011 (c.27) which received Royal Assent on 9th May 2011*

Autism Act (Northern Ireland) 2011

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Section 1 - Amendment to Schedule 1 to the Disability Discrimination Act 1995

Section 1 extends the list of “normal day-to-day activities” in Schedule 1 to the Disability Discrimination Act 1995. Capacity to undertake these activities is used to assess whether someone’s condition falls within the definition of “disability” in the Act. The effect of section 1 is to clarify that a condition which has a substantial and long-term adverse effect on someone’s ability to “take part in normal social interaction” or in “forming social relationships” can constitute a “disability”.

Section 2 - Autism Strategy

Section 2 requires the Department of Health, Social Services and Public Safety (“the Department”) to prepare and publish a strategy on autism within 2 years of the passing of the Act and following consultation with the other Northern Ireland departments. All departments in the Executive are placed under an obligation to implement any part of the strategy for which they are responsible.

In order that the strategy be comprehensive, the Act requires the Department to seek information from the 5 Health and Social Care Trusts in Northern Ireland on the prevalence of autism in their areas. The Trusts are placed under an obligation to provide the information so requested. Furthermore, the Northern Ireland departments are required to co-operate in the preparation of any strategy. The strategy is intended to be a living document, and Section 2 therefore requires it to be kept under review and updated by the Department at intervals of 7 years or less. The Minister is required to lay a report before the Assembly every 3 years.

Section 3 - Content of the Autism Strategy

The autism strategy must set out how the needs of people with an autistic spectrum condition are to be addressed throughout their lives. It must also address the needs of carers of those with an autistic spectrum condition and identify what steps the Department proposes to take to promote an autism awareness campaign.

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Regulations may be made under this Act only if they have been approved by the Assembly. Before regulations can be made, they must have been the subject of consultation.

Section 4 - Interpretation

This section defines a number of terms used throughout the Act. “Autism” is interpreted as including Asperger’s syndrome, Rett’s syndrome, Heller’s syndrome and other pervasive developmental disorders not otherwise specified.