

1990 No. 456 (C. 17)**HEALTH AND PERSONAL SOCIAL SERVICES****The Disabled Persons (1989 Act) (Commencement No. 2)
Order (Northern Ireland) 1990**

Made 19th December 1990

The Department of Health and Social Services, in exercise of the powers conferred on it by section 12(2) of the Disabled Persons (Northern Ireland) Act 1989(a), paragraph 2(1) of Schedule 1 to the Northern Ireland Act 1974(b) 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 Disabled Persons (1989 Act) (Commencement No. 2) Order (Northern Ireland) 1990.

(2) In this Order “the Act” means the Disabled Persons (Northern Ireland) Act 1989.

Day appointed

2. 1st April 1991 is the day appointed for the coming into operation of the provisions of the Act specified in column 1 of the Schedule to this Order (which relate to the matters specified in column 2 thereof).

Sealed with the Official Seal of the Department of Health and Social Services on 19th December 1990.

(L.S.)

Joan Dixon

Assistant Secretary

(a) 1989 c. 10

(b) 1974 c. 28

SCHEDULE

Provisions of the Act coming into operation on 1st April 1991

Column 1 <i>Provision of the Act</i>	Column 2 <i>Subject Matter</i>
Section 4, except paragraph (b)	Services under section 2 of the Chronically Sick and Disabled Persons (Northern Ireland) Act 1978(a): duty to consider needs of disabled persons.
Section 5	Disabled persons leaving special education.
Section 6	Review of expected leaving dates from full-time education of disabled persons.
Section 8(1)	Duty of a Health and Social Services Board to take into account abilities of carer of a disabled person.
Section 11(4)	Repeal of Article 36(3) of the Education and Libraries (Northern Ireland) Order 1986(b).

(a) 1978 c. 53

(b) 1986/594 (N.I. 3)

EXPLANATORY NOTE

(This note is not part of the Order.)

This Order brings into operation on 1st April 1991 sections 4 (except paragraph (b)), 5, 6, 8(1) and 11(4) of the Disabled Persons (Northern Ireland) Act 1989. Section 4 (except paragraph (b)) imposes a duty on Health and Social Services Boards to consider the needs of disabled persons for services under section 2 of the Chronically Sick and Disabled Persons (Northern Ireland) Act 1978. Section 5 imposes a duty on Education and Library Boards to require appropriate officers of Health and Social Services Boards to give their opinion whether children who are receiving special education are disabled persons and imposes duties on Education and Library Boards to notify Health and Social Services Boards when disabled persons receiving special education will leave full-time education and on Health and Social Services Boards to carry out assessments of their needs with respect to the provision of any personal social services. Section 6 requires Education and Library Boards to keep under review the dates when disabled children are expected to leave full-time education at school or further education establishments to ensure that notices are given to Health and Social Services Boards and assessments made under section 5 of the Act. Section 8(1) requires Health and Social Services Boards to take into account the abilities of the carer of a disabled person. Sections 11(4) repeals Article 36(3) of the Education and Libraries (Northern Ireland) Order 1986 which becomes redundant with the coming into operation of sections 5 and 6 of the Act.

NOTE AS TO EARLIER COMMENCEMENT ORDER

(This note is not part of the Order)

The following provisions of the Act have been brought into force by a Commencement Order made before the date of this Order.

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.R. No.</i>
ss. 9, 10, 11 (except paragraph (4)) and 12	7.12.1989	1989/474