

**2005 No. 337 (C. 26)**

**DISABLED PERSONS**

**EDUCATION**

**The Special Educational Needs and Disability (2005 Order)  
(Commencement No. 2) Order (Northern Ireland) 2005**

*Made* - - - -

*14th July 2005*

The Department for Employment and Learning, in exercise of the powers conferred by Article 1 (3) of the Special Educational Needs and Disability Order (Northern Ireland) 2005 (a) 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 Special Educational Needs and Disability (2005 Order) (Commencement No. 2) Order (Northern Ireland) 2005.

(2) In this Order, “the 2005 Order” means the Special Educational Needs and Disability (Northern Ireland) Order 2005.

**Appointed Day**

2. 1st September 2005 is the day appointed for the coming into operation of the provisions of the 2005 Order listed in the Schedule.

Sealed with the Official Seal of the Department for Employment and Learning on 14th July 2005.

**L.S.**

*Bernie O'Hare*  
A senior officer of the  
Department for Employment and Learning

## SCHEDULE

### PROVISIONS OF THE SPECIAL EDUCATIONAL NEEDS AND DISABILITY (NORTHERN IRELAND) ORDER 2005 COMING INTO OPERATION ON 1ST SEPTEMBER 2005

<i>Provisions</i>	<i>Subject Matter of Provision</i>
Article 27	Interpretation of Chapter II of the 2005 Order
Article 28	Discrimination against disabled students and prospective students
Article 29	Meaning of “discrimination”
Article 30	Disabled students not to be substantially disadvantaged
Article 31	Enforcement, remedies and procedures
Article 32	Occupation of premises by educational institutions
Article 33	Validity and revision of agreements of responsible bodies
Article 43, in so far as it relates to Chapter II of Part III of the 2005 Order	Victimisation
Article 44, in so far as it relates to Chapter II of Part III of the 2005 Order	Aiding unlawful acts
Article 45, in so far as it relates to Chapter II of Part III of the 2005 Order	Liability of employers and principals
Article 46, in so far as it relates to Chapter II of Part III of the 2005 Order	Statutory authority and national security
Article 47, in so far as it relates to Chapter II of Part III of the 2005 Order	Application to Crown, etc
Article 48, in so far as it relates to Chapter II of Part III of the 2005 Order	Relationship between Chapter II of Part III of the 2005 Order and the Disability Discrimination Act 1995 (c50)
Part II of Schedule 2	Discrimination in further and higher education institutions
Schedule 3	Premises occupied by educational institutions under leases

Article 50 (2) together with Schedule 6, so far as relating to the Disability Discrimination Act 1995 (c50)	The repeal of paragraph 9 (2) and (3) of Schedule 8, to the Disability Discrimination Act 1995 (c50)
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**EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order provides for the coming into operation on 1st September 2005 of provisions of the Special Educational Needs and Disability (Northern Ireland) Order 2005 (S.I. 2005/1117 (N.I. 6)) specified in the Schedule. The provisions being brought into operation relate to disability discrimination in further and higher education.

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