

2008 No. 19

DISABLED PERSONS

The Disability Discrimination (Private Hire Vehicles) (Carrying of Guide Dogs etc.) Regulations (Northern Ireland) 2008

Made - - - - - 16th January 2008

Coming into operation in accordance with regulation 1(1)

The Department of the Environment makes the following Regulations in exercise of the powers conferred on it by section 37A(8)(b) and (9) of the Disability Discrimination Act 1995(a):

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Disability Discrimination (Private Hire Vehicles) (Carrying of Guide Dogs etc.) Regulations (Northern Ireland) 2008 and shall come into operation for the purposes of—

- (a) this regulation and regulation 2(1) on 28th February 2008; and
- (b) all other provisions on 1st June 2008.

(2) In these Regulations “the 1995 Act” means the Disability Discrimination Act 1995.

(3) The Interpretation Act (Northern Ireland) 1954(b) shall apply to these Regulations as it applies to an Act of the Northern Ireland Assembly.

Notices of exemption

2.—(1) The prescribed notice of exemption for the purposes of section 37A(8)(b) of the 1995 Act shall be the notice set out in the Schedule.

(2) The prescribed manner of exhibiting a notice of exemption for the purposes of section 37A(8)(b) of the 1995 Act shall be—

- (a) by displaying it—
 - (i) on the nearside of, and immediately behind, the windscreen of the private hire vehicle facing outwards; and
 - (ii) in a manner that readily permits its removal; and
- (b) so that—
 - (i) its front is clearly visible from the outside of the private hire vehicle; and
 - (ii) its back is clearly visible from the driver’s seat of the private hire vehicle.

(a) 1995 c. 50; section 37A was inserted by section 1(1) of the Private Hire Vehicles (Carriage of Guide Dogs etc.) Act 2002 (c. 37) and modified in its application to Northern Ireland by paragraph 21A of Schedule 8 (paragraph 21A was inserted by section 1(2) of that Act); *see* section 68(1) as substituted by paragraph 47(1) of the said Schedule 8 for the definition of “prescribed” and “regulations”

(b) 1954 c. 33 (N.I.)

Prescribed charities

3. Each of the following is a prescribed charity for the purposes of the definition of an assistance dog in section 37A(9) of the 1995 Act—

- (a) “Dogs for the Disabled” registered with the Charity Commission under registration number 1092960;
- (b) “Support Dogs” registered with the Charity Commission under registration number 1088281; and
- (c) “Canine Partners for Independence” registered with the Charity Commission under registration number 803680.

Sealed with the Official Seal of the Department of the Environment on 16th January 2008.

(L.S.)

Stanley Duncan

A senior officer of the Department of the Environment

1. Form of front of notice of exemption

DEPARTMENT OF THE ENVIRONMENT
SECTION 37A DISABILITY DISCRIMINATION ACT 1995

NOTICE OF EXEMPTION

Driver's full name

Licence No.

The person named above is exempt from carrying guide dogs, hearing dogs, or assistance dogs in the private hire vehicle specified at "A" below or in a kind of private hire vehicle specified at "B" below.

A Registration number of specified private hire vehicle*.....

B Kind of private hire vehicle*

(a) Private hire vehicle with fixed partition segregating the driver from the passenger compartment*

(b) Private hire vehicle without fixed partition segregating the driver from the passenger compartment*

ED

This notice expires on

*Delete as appropriate

2. Form of back of notice of exemption

WARNING

Only the driver named overleaf may display this notice when driving the vehicle. The notice may also remain on display when the vehicle is parked provided it has been driven by, and is to be driven by, the named driver. Otherwise the named driver must remove the notice.

EXPLANATORY NOTE

(This note is not part of the Regulations)

Section 37A of the Disability Discrimination Act 1995 (“the 1995 Act”) imposes a duty on licensed private hire vehicle drivers and operators in relation to the carriage, without additional charge, of an assistance dog when it accompanies a disabled person. It also provides that a private hire vehicle driver may be exempted from this obligation on medical grounds.

These Regulations, which apply to private hire vehicles, prescribe the form of the notice of exemption which must be displayed by an exempted driver and the manner of its display in the private hire vehicle.

The Regulations also prescribe the charities for the purposes of the definition of assistance dog in Section 37A(9) of the 1995 Act.

A Regulatory Impact Assessment has been produced and is available from the Driver and Vehicle Agency at www.dvni.gov.uk.

© Crown Copyright 2008

Published and printed in the UK by The Stationery Office Limited under the authority and superintendence of Carol Tullo, Controller of Her Majesty's Stationery Office being the Government Printer for Northern Ireland and the Officer appointed to print the Acts of the Northern Ireland Assembly

Dd. N3275. C2. 1/08. Gp. 130. 14567.

£3.00