

This Statutory Instrument has been printed in substitution of the SI of the same number and is being issued free of charge to all known recipients of that Statutory Instrument.

STATUTORY RULES OF NORTHERN IRELAND

2011 No. 167 (C. 9)

DISABLED PERSONS

The Disability Discrimination Code of Practice (Provision and Use of Transport Vehicles) (Appointed Day) Order (Northern Ireland) 2011

Made - - - -

24th March 2011

In accordance with section 54A(3) of the Disability Discrimination Act 1995 (“the Act”)(**a**), the Equality Commission for Northern Ireland (“the Commission”) carried out a consultation on a draft Disability Discrimination Act 1995 Code of Practice on the Provision and Use of Transport Vehicles.

In accordance with section 54A(4)(a) of the Act, the Commission submitted the draft Code of Practice to the Office of the First Minister and deputy First Minister which approved it and laid it before the Assembly on 18th February 2011.

In accordance with section 54A(4)(b) of the Act, draft Code of Practice lay before the Assembly for the statutory period without the Assembly resolving not to approve it.

In accordance with section 54A(1) of the Act(**b**), that Code of Practice was issued by the Commission on 23rd March 2011.

Now, the Office of the First Minister and deputy First Minister makes the following Order in exercise of the powers conferred by section 54A(6)(a) of the Act, and now vested in it.(**c**)

Citation and interpretation

1.—(1) This Order may be cited as the Disability Discrimination Code of Practice (Provision and Use of Transport Vehicles) (Appointed Day) Order (Northern Ireland) 2011.

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- (**a**) 1995 c 50; section 54A was inserted by Article 11 of the Equality (Disability, etc.) (Northern Ireland) Order 2000 (S.I. 2000/1110 (N.I.2))
- (**b**) Subsection (1) was substituted by Article 41(2) of the Special Educational Needs and Disability (Northern Ireland) Order 2005 (S.I. 2005/1117 (N.I.6)) and amended by paragraph 22(2) of Schedule 1 to the Disability Discrimination (Northern Ireland) Order 2006 (S.I. 2006/312 (N.I.1))
- (**c**) See S.R.1999 No.481, Article 4(a) and Schedule 2, Part I for transfer of functions from the Department of Economic Development

(2) The Interpretation Act (Northern Ireland) 1954(a) shall apply to this Order as it applies to an Act of the Assembly.

Appointed Day

2. The day appointed for the coming into effect of the Disability Discrimination Act 1995 Code of Practice on the Provision and Use of Transport Vehicles is 25th May 2011.

Sealed with the Official Seal of the Office of the First Minister and deputy First Minister on 24th March 2011.



Colin Jack
A senior officer of the Office of the First Minister and deputy First Minister

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

EXPLANATORY NOTE

(This note is not part of the Order)

This Order appoints 25th May 2011 as the day for the coming into effect of the Disability Discrimination Act 1995 Code of Practice on the Provision and Use of Transport Vehicles (“the Transport Code”) which was issued by the Equality Commission for Northern Ireland on 23rd March 2011.

The Transport Code has been prepared and issued by the Equality Commission for Northern Ireland under section 54A(1) of the Disability Discrimination Act 1995 (“the Act”). This Code is a supplement to, and is to be read in conjunction with, the Code of Practice for Part III of the Act, “Rights of Access to Goods, Facilities, Services and Premises” (“the Part III Code”), which explains the duties imposed by the Act on those who provide services to the public. The Transport Code provides practical guidance to those providers of transport services who became subject to the Part III duties with effect from 25th January 2010.

Part III of the Act was amended by Article 7 of the Disability Discrimination (Northern Ireland) Order 2006 (“the 2006 Order”) to replace the earlier exemption from the Part III duties for “any service so far as it consists of the use of any means of transport” with a new exemption relating only to the provision and use of transport vehicles. The 2006 Order also introduced a power to enable the Office of the First Minister and deputy First Minister to make regulations to lift that exemption, in total or in part, in respect of particular transport vehicles. The Disability Discrimination (Transport Vehicles) Regulations (Northern Ireland) 2009 (SR 2009 No. 428), which come into operation on 25th January 2010, impose, either in total or in part, the Part III duties on the operators of rail vehicles, buses, coaches, taxis, private hire vehicles, vehicle hire, breakdown services and vehicles deployed on a system using a mode of guided transport.

Copies of the Transport Code and the Part III Code may be obtained free of charge from the Equality Commission for Northern Ireland, Equality House, 7–9 Shaftesbury Square, Belfast, BT2 7DP (Telephone 02890500600, Textphone 02890500589, email: information@equalityni.org or can they be downloaded from the Commission’s website at www.equalityni.org.

A copy of the Regulatory Impact Assessment in respect of the duties dealt with in the Transport Code has been placed in the library of the Northern Ireland Assembly. A copy of the assessment may be obtained from: Equality, Rights and Social Need Division, Office of the First Minister and deputy First Minister, Room E3.18, Castle Buildings, Stormont, Belfast BT4 3SR.

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