



# Disability Discrimination Act 1995

## 1995 CHAPTER 50

### PART VI

#### THE NATIONAL DISABILITY COUNCIL

#### **52 Further provision about codes issued under section 51**

- (1) In this section “proposal” means a proposal made by the Council to the Secretary of State under section 51.
- (2) In preparing any proposal, the Council shall consult—
  - (a) such persons (if any) as the Secretary of State has specified in making his request to the Council; and
  - (b) such other persons (if any) as the Council considers appropriate.
- (3) Before making any proposal, the Council shall publish a draft, consider any representations made to it about the draft and, if it thinks it appropriate, modify its proposal in the light of any of those representations.
- (4) Where the Council makes any proposal, the Secretary of State may—
  - (a) approve it;
  - (b) approve it subject to such modifications as he considers appropriate; or
  - (c) refuse to approve it.
- (5) Where the Secretary of State approves any proposal (with or without modifications), he shall prepare a draft of the proposed code and lay it before each House of Parliament.
- (6) If, within the 40-day period, either House resolves not to approve the draft, the Secretary of State shall take no further steps in relation to the proposed code.
- (7) If no such resolution is made within the 40-day period, the Secretary of State shall issue the code in the form of his draft.
- (8) The code shall come into force on such date as the Secretary of State may appoint by order.

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*Status: This is the original version (as it was originally enacted).*

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- (9) Subsection (6) does not prevent a new draft of the proposed code from being laid before Parliament.
- (10) If the Secretary of State refuses to approve a proposal, he shall give the Council a written statement of his reasons for not approving it.
- (11) The Secretary of State may by order revoke a code.
- (12) In this section “40-day period”, in relation to the draft of a proposed code, means—
- (a) if the draft is laid before one House on a day later than the day on which it is laid before the other House, the period of 40 days beginning with the later of the two days, and
  - (b) in any other case, the period of 40 days beginning with the day on which the draft is laid before each House,
- no account being taken of any period during which Parliament is dissolved or prorogued or during which both Houses are adjourned for more than four days.