



# Disability Discrimination Act 1995

## 1995 CHAPTER 50

### PART VIII

#### MISCELLANEOUS

#### **67 Regulations and orders.**

[<sup>F1</sup>(1) Any power under this Act to make regulations or orders shall be exercisable by statutory rule for the purposes of the Statutory Rules (Northern Ireland) Order 1979.

(2) Any such power may be exercised to make different provision for different cases, including different provision for different areas or localities.

(3) Any such power, includes power—

(a) to make such incidental, supplementary, consequential or transitional provision as appears to the Northern Ireland department exercising the power to be expedient; and

(b) to provide for a person to exercise a discretion in dealing with any matter.

[<sup>F2</sup>(3A) Where regulations under section 21D(7)(b) provide for the omission of section 21D(5), the provision that may be made by the regulations in exercise of the power conferred by subsection (3)(a) includes provision amending section 21D for the purpose of omitting references to section 21D(5).

(3B) The provision that may be made by regulations under section 21G(5)(b) in exercise of the power conferred by subsection (3)(a) includes provision amending or repealing section 21G(4).]

[<sup>F3</sup>(4) Subsection (4A) applies to—

(a) the first regulations to be made under section 21H(1);

(b) regulations under section 47J(3);

(c) regulations under section 67A(3);

(d) regulations under paragraph 6A(2) of Schedule 1.

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*Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995, Section 67. (See end of Document for details)*

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- (4A) No regulations to which this subsection applies shall be made unless a draft of the regulations has been laid before, and approved by a resolution of, the Assembly.
- (4B) An order under section 47(1), if made without a draft having been laid before and approved by a resolution of, the Assembly shall be subject to annulment in pursuance of a resolution of the Assembly; but the exercise of the discretion conferred by this subsection is subject to section 67A.]
- (5) Any other order made under this Act, other than an order under section 3(9), [F454A(6) (a)] or 70(3), and any regulations made under this Act shall be subject to negative resolution within the meaning of section 41(6) of the Interpretation Act (Northern Ireland) 1954 as if they were statutory instruments within the meaning of that Act.
- (6) Section 41(3) of the Interpretation Act (Northern Ireland) 1954 shall apply in relation to any instrument or document which by virtue of this Act is required to be laid before the Assembly as if it were a statutory instrument or statutory document within the meaning of that Act.
- (7) Subsection (1) does not require an order under section 43 which applies only to a specified vehicle, or to vehicles of a specified person, to be made by statutory rule.
- (8) Nothing in section 40(6) or 46(5) affects the powers conferred by subsections (2) and (3).]

#### Extent Information

- E1** Following the repeal of this Act for E.W.S. by the Equality Act 2010, this section now extends to N.I. only. Prior to that repeal, different versions of this section had been created for N.I. and E.W.S. respectively to reflect the different amendment history for each jurisdiction. This version is based on the N.I. version as it stood at the date of the repeal. It incorporates the N.I. modifications set out in Sch. 8 para. 46. It does not reflect the history of E.W.S. effects prior to the 2010 repeal, which can be found in earlier versions.

#### Textual Amendments

- F1** Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279](#), [Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279](#), [art. 16](#)); [S.I. 2010/2317](#), [art. 2\(15\)\(f\)](#) (with arts. 4-25, Schs. 1-16); [S.I. 2011/1066](#), [art. 2\(h\)](#)
- F2** [S. 67\(3A\)\(3B\)](#) inserted (N.I.) ((3.7.2006 for certain purposes and 31.12.2007 insofar as not already in force) by [The Disability Discrimination \(Northern Ireland\) Order 2006 \(S.I. 2006/312 \(N.I. 1\)\)](#), arts. 1, 19(1), [Sch. 1 para. 25\(2\)](#); [S.R. 2006/289](#), [art. 2\(2\)\(f\)](#); [S.R. 2007/466](#), [art. 2\(2\)\(m\)](#))
- F3** [S. 67\(4\)-\(4B\)](#) substituted (N.I.) for [s. 67\(4\)](#) (3.7.2006 for certain purposes and 31.12.2007 insofar as not already in force) by virtue of [The Disability Discrimination \(Northern Ireland\) Order 2006 \(S.I. 2006/312 \(N.I. 1\)\)](#), arts. 1, 19(1), [Sch. 1 para. 25\(3\)](#); [S.R. 2006/289](#), [art. 2\(2\)\(f\)](#); [S.R. 2007/466](#), [art. 2\(2\)\(m\)](#))
- F4** Words in [s. 67\(5\)](#) substituted (25.4.2000) by [S.I. 2000/1110 \(N.I. 2\)](#), [art. 15](#) (with [art. 17](#)); [S.R. 2000/140](#), [art. 2](#), [Sch.](#)

#### Commencement Information

- I1** [S. 67](#) wholly in force at 30.5.1996; [s. 67](#) not in force at Royal Assent see [s. 70\(3\)](#); [s. 67](#) in force (E.W.S.) at 17.5.1996 by [S.I. 1996/1336](#), [art. 3\(i\)](#); [s. 67](#) in force (N.I.) at 30.5.1996 by [S.R. 1996/219](#), [art. 3\(h\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Disability Discrimination Act 1995, Section 67.