

DISABILITY RIGHTS COMMISSION ACT 1999

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Section 2: General functions

Subsection (1) sets out the general duties of the DRC. Later in the Act the DRC is given a number of specific functions, but its general duties and powers, set out in *subsection (1)* and *subsection (2)*, will enable the DRC to undertake a wide range of activities, for example, to run conferences, seminars and workshops; to provide advice and assistance on making reasonable adjustments; and to devise guidance specifically for employers and service providers in particular sectors.

Subsection (2)(a) provides that the DRC can give advice to the Government on any aspect of the law or proposed changes to the law for any purpose connected with the elimination of discrimination and the performance of its other functions. In this context, *subsection (3)* requires the DRC to make proposals or give advice when asked to do so by the Government. *Subsections (2)* and *(3)* would enable advice to be sought from or given by the DRC upon amendments to the DDA 1995, implementation of any relevant Directive issued by the European Union and of the Human Rights Act 1998, or upon legislation on such subjects as housing where the needs of disabled people might be relevant.

Subsection (2)(b) provides that the DRC can give advice to any Government agency or other public authority on the practical application of any law for any purpose connected with the performance of the DRC's functions.

Subsection (2)(c) provides that the DRC can carry out research and provide information and advice, again for any purpose connected with the performance of its functions. It also enables the DRC to support other people to undertake these activities.

Subsection (4) provides that the DRC can charge a fee for any facilities or services it makes available, such as attendance at a conference which it has arranged.

Subsection (5) provides (in keeping with the DDA 1995) for the DRC's work to embrace both disabled people and people who have had a disability. It also defines the types of discrimination which the DRC must work to eliminate as those set out in Parts II and III of the DDA 1995 which cover discrimination in the areas of:

- employment;
- the provision of goods, facilities and services; and
- the management and disposal (selling, letting etc) of premises.