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STATUTORY INSTRUMENTS

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**2000 No. 1969 (C. 50)**

**DISABLED PERSONS**

The Disability Discrimination Act 1995  
(Commencement No. 7) Order 2000

Made - - - - 20th July 2000

The Secretary of State, in exercise of his powers conferred by section 70(3) of the Disability Discrimination Act 1995<sup>(1)</sup> and all other powers enabling him in that behalf, hereby makes the following Order:

**Citation**

1. This Order may be cited as the Disability Discrimination Act 1995 (Commencement No. 7) Order 2000.

**Provisions coming into force**

2. Sections 40, 41, 42, 43, 44, 45 and, to the extent not previously in force, 48 of the Disability Discrimination Act 1995 shall come into force on 30th August 2000.

Signed by authority of the Secretary of State for the Environment, Transport and the Regions

*Keith Hill*  
Parliamentary Under-Secretary of State,  
Department of the Environment, Transport and  
the Regions

20th July 2000

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order brings into force sections 40, 41, 42, 43, 44, 45 and, to the extent not previously in force, 48 of the Disability Discrimination Act 1995 on 30th August 2000.

Section 40 empowers the Secretary of State to make public service vehicles accessibility regulations to ensure that disabled persons may get on to and off regulated public service vehicles in safety and without unreasonable difficulty (and, in the case of disabled persons in wheelchairs, to do so while remaining in their wheelchairs) and to be carried in such vehicles in safety and reasonable comfort.

Section 41 provides that a regulated public service vehicle shall not be used on a road unless a vehicle examiner has issued an accessibility certificate that such provisions of any regulations as are made are satisfied in respect of the vehicle. It also empowers the Secretary of State to make regulations with respect to applications for, and the issue of, such certificates and provides that if a regulated public service vehicle is used in contravention of the section, the operator of the vehicle is guilty of an offence.

Section 42 empowers the Secretary of State, if satisfied that the accessibility regulations prescribed for the purposes of section 41 are satisfied in respect of a particular vehicle, to approve the vehicle as a “type vehicle”. The section also provides, in a case where a declaration has been made (in the prescribed form) that a particular vehicle conforms in design, construction and equipment with a type vehicle, for the issue by a vehicle examiner of a certificate that that vehicle conforms to the type vehicle, and empowers the Secretary of State to make regulations with respect to applications for, and grants of, such approval and certification.

Section 43 empowers the Secretary of State, subject to such restrictions and conditions as may be provided, to authorise the use on the road of a regulated public service vehicle of a specified class or description, or as he may specify, and nothing in sections 40, 41 or 42 shall prevent the use of any such vehicle in accordance with that authorisation.

Section 44 contains provisions relating to the review by the Secretary of State of his decision to refuse the approval of a vehicle under section 42 and for appeals from the refusal of a vehicle examiner to issue an accessibility certificate under section 41 or a certificate under section 42.

Section 45 empowers the Secretary of State to prescribe fees in respect of applications for, or grants of, approvals and certificates, for copies of such certificates and for reviews and appeals.

Section 48 provides that where an offence under section 40 or 46 is committed by a body corporate, or, in Scotland, a partnership or an unincorporated association, with the consent or connivance of certain persons, those persons shall also be guilty of the offence.

A Regulatory Impact Assessment of the costs and benefits of the coming into force of sections 40 to 45 of the Disability Discrimination Act 1995, and of regulations made thereunder, has been prepared and copies can be obtained from the Department of the Environment, Transport and the Regions, Zone 1/18, Great Minster House, 76 Marsham Street, London SW1P 4DR (telephone 020 7944 4914). A copy has been placed in the library of each House of Parliament.

**NOTE AS TO EARLIER COMMENCEMENT ORDERS***(This note is not part of the Order)*

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No</i>
Section 1	17th May 1996	1996/1336
Section 2	17th May 1996	1996/1336
Section 3	17th May 1996	1996/1336
Section 4	2nd December 1996	1996/1474
Section 5(1) to (5)	2nd December 1996	1996/1474
Section 5(6) and (7)	6th June 1996	1996/1474
Section 6(1) to (7), (11) and (12)	2nd December 1996	1996/1474
Section 6(8), (9) and (10)	6th June 1996	1996/1474
Section 7	2nd December 1996	1996/1474
Section 8(1) to (5) and (8)	2nd December 1996	1996/1474
Section 8(6) and (7)	6th June 1996	1996/1474
Section 9	2nd December 1996	1996/1474
Section 10	2nd December 1996	1996/1474
Section 11	2nd December 1996	1996/1474
Section 12(1), (2), (4) and (5)	2nd December 1996	1996/1474
Section 12(3) and (6)	6th June 1996	1996/1474
Section 13	2nd December 1996	1996/1474
Section 14(1) and (3)	2nd December 1996	1996/1474
Section 14(2), (4) and (5)	1st October 1999	1999/1190
Section 14(6)	6th June 1996	1996/1474
Section 15(1)(a) and (2) to (10)	1st October 1999	1999/1190
Section 16(1), (2) and (4)	2nd December 1996	1996/1474
Section 16(3) and (5) partially	17th May 1996	1996/1336
Section 16(3) to the extent not previously in force	2nd December 1996	1996/3003
Section 16(5) to the extent not previously in force	6th June 1996	1996/1474
Section 17(1), (2) and (4)	2nd December 1996	1996/1474
Section 17(3)	6th June 1996	1996/1474
Section 18(1) and (2)	2nd December 1996	1996/1474
Section 18(3) and (4)	6th June 1996	1996/1474

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No</i>
Section 19(1)(a), (c) and (d), (2), (3), (4), (5)(a) and (b) and (6)	2nd December 1996	1996/1474
Section 19(1)(b)	1st October 1999	1999/1190
Section 19(5)(c)	6th June 1996	1996/1474
Section 20(1), (3) and (4)	2nd December 1996	1996/1474
Section 20(2), (5) and (9)	1st October 1999	1999/1190
Section 20(6), (7) and (8)	6th June 1996	1996/1474
Section 21(1), (2)(d), (4), (6) and (10)	1st October 1999	1999/1190
Section 21(3) and (5)	26th April 1999	1999/1190
Section 22	2nd December 1996	1996/1474
Section 23	2nd December 1996	1996/1474
Section 24(1) to (4)	2nd December 1996	1996/1474
Section 24(5)	6th June 1996	1996/1474
Section 25	2nd December 1996	1996/1474
Section 26	2nd December 1996	1996/1474
Section 28	17th May 1996	1996/1336
Section 29(3)	31st July 1996	1996/1474
Section 30(1) to (6)	31st July 1996	1996/1474
Section 31	31st July 1996	1996/1474
Section 46	13th May 1998	1998/1282
Section 47	13th May 1998	1998/1282
Section 48 insofar as it relates to section 46	13th May 1998	1998/1282
Section 50	1st January 1996	1995/3330
Section 51	1st January 1996	1995/3330
Section 52	1st January 1996	1995/3330
Section 53	6th June 1996	1996/1474
Section 54	6th June 1996	1996/1474
Section 55	2nd December 1996	1996/1474
Section 56	6th June 1996	1996/1474
Section 57	2nd December 1996	1996/1474
Section 58	2nd December 1996	1996/1474
Section 59	17th May 1996	1996/1336
Section 60	2nd December 1996	1996/1474

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No</i>
Section 61	2nd December 1996	1996/1474
Section 62(1), (2) and (7)	17th May 1996	1996/1336
Section 63(1), (2), (4), (5) and (6)	17th May 1996	1996/1336
Section 64	2nd December 1996	1996/1474
Section 65	2nd December 1996	1996/1474
Section 66	2nd December 1996	1996/1474
Section 67	17th May 1996	1996/1336
Section 68(1)	17th May 1996	1996/1336
Section 68(2) to (5)	2nd December 1996	1996/1474
Section 69	17th May 1996	1996/1336
Section 70(4)	2nd December 1996	1996/1474
Section 70(7)	17th May 1996	1996/1336
Schedule 1 (with the exception of paragraph 7)	17th May 1996	1996/1336
Schedule 1, paragraph 7	2nd December 1996	1996/1474
Schedule 2	17th May 1996	1996/1336
Schedule 3	2nd December 1996	1996/1474
Schedule 4, Part I, paragraphs 1 and 2	2nd December 1996	1996/1474
Schedule 4, Part I, paragraph 3	6th June 1996	1996/1474
Schedule 4, paragraph 4 and section 16(5) insofar as it relates to it	17th May 1996	1996/1336
Schedule 5	1st January 1996	1995/3330
Schedule 6	2nd December 1996	1996/1474
Schedule 7 and section 70(5) insofar as is necessary to effect the repeal of sections 1, 6 to 14, 19 and 21 of the Disabled Persons (Employment) Act 1944 and section 2 of the Disabled Persons (Employment) Act 1958	2nd December 1996	1996/1474