

## EXPLANATORY NOTE

*(This note is not part of the Regulations.)*

Section 1 of the Disability Discrimination Act 1995 as it applies in Northern Ireland by virtue of Section 70(6) and Schedule 8 thereof, provides that, subject to Schedule 1, a person has a disability if he has a physical or mental impairment which has a substantial and long-term adverse effect on his ability to carry out normal day-to-day activities.

These Regulations (made under Schedule 1) have the effect of excluding from the scope of the definition:

- (a) addictions (other than those medically caused) (regulation 3);
- (b) certain personality disorders (regulation 4(1)); and
- (c) hayfever and similar conditions (regulations 4(2)).

Regulation 5 excludes tattoos and piercings. These might otherwise amount to severe disfigurements falling within paragraph 3 of Schedule 1.

The effect of regulation 6 is that a child under six is treated as if he were six or over for the purposes of determining the effect of his disability.