

*Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995, Paragraph 35. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 8 U.K.

#### MODIFICATIONS OF THIS ACT IN ITS APPLICATION TO NORTHERN IRELAND

##### Extent Information

**E1** Sch. 8 extends to the United Kingdom but the operation of Sch. 8 is limited by application as mentioned in s. 70(6).

<sup>F135</sup> [<sup>F2</sup>For section 52 substitute—

#### “ Further provisions about codes issued under section 51.

(1) In this section—

“proposal” means a proposal made by [<sup>F3</sup>the Equality Commission for Northern Ireland] to a Northern Ireland department under section 51;

“responsible department”—

(a) in relation to a proposal, means the Northern Ireland department to which the proposal is made,

(b) in relation to a code, means the Northern Ireland department by which the code is issued; and

“statutory period” has the meaning assigned to it by section 41(2) of the Interpretation Act (Northern Ireland) 1954.

(2) In preparing any proposal, [<sup>F3</sup>the Equality Commission for Northern Ireland] shall consult—

(a) such persons (if any) as the responsible department has specified in making its request to [<sup>F3</sup>the Equality Commission for Northern Ireland]; and

(b) such other persons (if any) as [<sup>F3</sup>the Equality Commission for Northern Ireland] considers appropriate.

(3) Before making any proposal [<sup>F3</sup>the Equality Commission for Northern Ireland] 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 [<sup>F3</sup>the Equality Commission for Northern Ireland] makes any proposal, the responsible department may—

(a) approve it;

(b) approve it subject to such modifications as that department thinks appropriate; or

(c) refuse to approve it.

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- (5) Where the responsible department approves any proposal (with or without modifications) that department shall prepare a draft of the proposed code and lay it before the Assembly.
- (6) If, within the statutory period, the Assembly resolves not to approve the draft, the responsible department shall take no further steps in relation to the proposed code.
- (7) If no such resolution is made within the statutory period, the responsible department shall issue the code in the form of its draft.
- (8) The code shall come into force on such date as the responsible department may appoint by order.
- (9) Subsection (6) does not prevent a new draft of the proposed code from being laid before the Assembly.
- (10) If the responsible department refuses to approve a proposal, that department shall give [<sup>F3</sup>the Equality Commission for Northern Ireland] a written statement of the department's reasons for not approving it.
- (11) The responsible department may by order revoke a code.”.]

#### **Textual Amendments**

- F1** Sch. 8 para. 35: s. 52 (as substituted by this provision) repealed (N.I.) (25.4.2000 in relation to s. 52(1)-(10) (with the exception of para. (b) in the definition of "responsible Department" in (1)) otherwise prosp.) by virtue of S.I. 2000/1110 (N.I. 2), arts. 1(2), 16, Sch. 2 (with arts. 11(2)(3), 17); S.R. 2000/140, art. 2, Sch. Appendix
- F2** 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)
- F3** Words in Sch. 8 substituted (1.10.1999) by 1998 c. 47, s. 99, Sch. 13 para. 16(2)(a) (with s. 95); S.I. 1999/2204, art. 3

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