



# Disability Discrimination Act 1995

## 1995 CHAPTER 50

### PART VI

#### THE NATIONAL DISABILITY COUNCIL

#### **50 The National Disability Council**

- (1) There shall be a body to be known as the National Disability Council (but in this Act referred to as “the Council”).
- (2) It shall be the duty of the Council to advise the Secretary of State, either on its own initiative or when asked to do so by the Secretary of State—
  - (a) on matters relevant to the elimination of discrimination against disabled persons and persons who have had a disability;
  - (b) on measures which are likely to reduce or eliminate such discrimination; and
  - (c) on matters related to the operation of this Act or of provisions made under this Act.
- (3) The Secretary of State may by order confer additional functions on the Council.
- (4) The power conferred by subsection (3) does not include power to confer on the Council any functions with respect to the investigation of any complaint which may be the subject of proceedings under this Act.
- (5) In discharging its duties under this section, the Council shall in particular have regard to—
  - (a) the extent and nature of the benefits which would be likely to result from the implementation of any recommendation which it makes; and
  - (b) the likely cost of implementing any such recommendation.
- (6) Where the Council makes any recommendation in the discharge of any of its functions under this section it shall, if it is reasonably practicable to do so, make an assessment of—
  - (a) the likely cost of implementing the recommendation; and
  - (b) the likely financial benefits which would result from implementing it.

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*Status: This is the original version (as it was originally enacted).*

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- (7) Where the Council proposes to give the Secretary of State advice on a matter, it shall before doing so—
- (a) consult any body—
    - (i) established by any enactment or by a Minister of the Crown for the purpose of giving advice in relation to disability, or any aspect of disability; and
    - (ii) having functions in relation to the matter to which the advice relates;
  - (b) consult such other persons as it considers appropriate; and
  - (c) have regard to any representations made to it as a result of any such consultations.
- (8) Schedule 5 makes further provision with respect to the Council, including provision about its membership.
- (9) The power conferred on the Council by subsection (2) to give advice on its own initiative does not include power to give advice—
- (a) by virtue of paragraph (a) or (b), in respect of any matter which relates to the operation of any provision of or arrangements made under—
    - (i) the Disabled Persons (Employment) Acts 1944 and 1958;
    - (ii) the Employment and Training Act 1973;
    - (iii) the Employment Protection (Consolidation) Act 1978; or
    - (iv) section 2(3) of the Enterprise and New Towns (Scotland) Act 1990; or
  - (b) by virtue of paragraph (c), in respect of any matter arising under Part II or section 53, 54, 56 or 61.
- (10) Subsection (9) shall not have effect at any time when there is neither a national advisory council established under section 17(1)(a) of the Disabled Persons (Employment) Act 1944 nor any person appointed to act generally under section 60(1) of this Act.