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STATUTORY INSTRUMENTS

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**2011 No. 1159**

**The Equality Act 2010 (Guidance on the Definition of Disability) Appointed Day Order 2011**

**Citation and interpretation**

1.—(1) This Order may be cited as the Equality Act 2010 (Guidance on the Definition of Disability) Appointed Day Order 2011.

(2) In this Order—

“Guidance” means the guidance on matters to be taken into account in determining questions relating to the definition of disability;

“the 1995 Act” means the Disability Discrimination Act 1995(1);

“the 2010 Act” means the Equality Act 2010;

“the 2010 Order” means the Equality Act 2010 (Commencement No. 4, Savings, Consequential, Transitional, Transitory and Incidental Provisions and Revocation) Order 2010(2);

“the 1996 Guidance” means the Guidance on matters to be taken into account in determining questions relating to the definition of disability which was issued by the Secretary of State under the 1995 Act on 29th March 2006(3);

“adjudicating body” has the same meaning as in section 3(3A) of the 1995 Act in relation to any proceedings brought under the 1995 Act, and is defined in paragraph 12(2) of Schedule 1 to the 2010 Act in relation to any proceedings brought under the 2010 Act.

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(1) 1995 c.50, amended by the Disability Discrimination Act 2005 (2005 c.13) and the Special Educational Needs and Disability Act 2001 (2001 c.10). The Disability Discrimination Act 1995 (1995 c.50) has also been amended by other enactments and instruments but those amendments are not relevant to this Order. The Disability Discrimination Act 1995 (1995 c.50) has been repealed by the Equality Act 2010 (2010 c.15) but, by article 15 of S.I. 2010/2317 (see full title in footnote (a) of this Order), proceedings arising from a complaint about conduct that occurred wholly before 1<sup>st</sup> October 2010 are brought under the Disability Discrimination Act 1995 (1995 c.50) as if the Equality Act 2010 (2010 c.15) had not been commenced. Article 15 of S.I. 2010/2317 is referred to in article 3 of this Order.

(2) S.I. 2010/2317.

(3) ISBN No. 978-0-11-703686-4.