

DISABILITY DISCRIMINATION (NORTHERN IRELAND) ORDER 2006

S.I. 2006 No. 312 (N.I. 1)

EXPLANATORY MEMORANDUM

COMMENTARY ON ARTICLES

Article 3: District Councils

14. *Article 3* inserts new sections 15A, 15B and 15C into Part II of the DDA, as amended by the Amendment Regulations. The new provisions make it unlawful for a district council to discriminate against its members in relation to the carrying-out of official business. The new provisions apply to all 26 district councils in Northern Ireland.
15. The duties imposed on district councils by the new provisions only apply where a member is carrying out “official business”.
16. New section 15B makes it unlawful for a district council to discriminate against a disabled member by subjecting the disabled member to any detriment in relation to the carrying-out of official business. It also makes it unlawful for a district council to subject a disabled member to harassment in relation to the carrying-out of official business.
17. Certain matters are excluded from the scope of the duties imposed by new section 15B. These include, for example, appointments to offices or committees of a district council.
18. New section 15C sets out the duty of a district council to make reasonable adjustments in relation to its disabled members, and broadly follows the pattern of Part II of the DDA. A district council will be under a duty to make an adjustment where a provision, criterion or practice it applies, or which is applied on its behalf, or a physical feature of premises which it occupies or controls, places a disabled member at a substantial disadvantage in comparison with non-disabled members in relation to the carrying-out of official business.