

2004 No. 50

DISABLED PERSONS

**The Disability Discrimination Code of Practice (Goods,
Facilities, Services and Premises) (Appointed Day) Order
(Northern Ireland) 2004**

Made - - - - - 18th February 2004

The Office of the First Minister and deputy First Minister, in exercise of the powers conferred on it by section 54A(6)(a)(a) of the Disability Discrimination Act 1995 and of every other power enabling it in that behalf, hereby makes the following Order:

Citation

1. This Order may be cited as the Disability Discrimination Code of Practice (Goods, Facilities, Services and Premises) (Appointed Day) Order (Northern Ireland) 2004.

Code of Practice

2. The Disability Discrimination Act 1995 Code of Practice on the Rights of Access to Goods, Facilities, Services and Premises(b) issued by the Commission under section 54A (1) of the Disability Discrimination Act 1995 on 14th August 2003 shall come into effect on 1st March 2004.

Sealed with the Official Seal of the Office of the First Minister and deputy First Minister on 18th February 2004.

(L.S.)

P. McAuley

A Senior Officer of the Office of the First Minister and deputy First Minister

(a) 1995 c 50; section 54A was inserted by Article 11 of the Equality (Disability, etc) (Northern Ireland) Order 2000 (S.I. 2000/1110 (N.I. 2))

(b) A draft of which was submitted to and approved by the Office of the First Minister and deputy First Minister in accordance with section 54A(4) of the Disability Discrimination Act 1995

EXPLANATORY NOTE

(This note is not part of the Order.)

Under Article 54A of the Disability Discrimination Act 1995, the Equality Commission for Northern Ireland may prepare and issue codes of practice giving practical guidance –

- (a) to employers, service providers or other persons to whom provisions of Part II or Part III of that Act apply on how to avoid discrimination or any other matter relating to the operation of those provisions in relation to them; or
- (b) to any person on any other matter, with a view to –
 - (i) promoting the equalisation of opportunities for disabled persons and persons who have had a disability, or
 - (ii) encouraging good practice relating to the treatment of such persons,

in any field of activity regulated by any provision of Part II or Part III of that Act. Part II of the Act relates to discrimination in the field of employment while Part III of the Act relates to discrimination in other areas such as goods, facilities, services and premises.

Under this provision, the Commission has issued a Code of Practice on the rights of access to goods, facilities, services and premises. This Order appoints 1st March 2004 as the date on which that code shall come into effect. Failure to observe any provision of this code of practice does not itself make a person liable to any proceedings but any provision of a code which appears to a Court to be relevant to any question arising in any proceedings must be taken into account in determining that question.

The new code may be obtained from the Equality Commission for Northern Ireland, Disability Unit, Equality House, 7-9 Shaftesbury Square, Belfast, BT2 7DP (Telephone 028 9050 0600, Textphone 028 9050 0589, e-mail: information@equalityni.org and from the Commission's website at www.equalityni.org).

A regulatory impact assessment of the duties dealt with in the new code and the effect they would have on the cost of business is available from the Office of the First Minister and deputy First Minister on the following website address: www.ofmdfmi.gov.uk/equality or from the Office of the First Minister and deputy First Minister, Anti Discrimination Division, Room E3.18, Castle Buildings, Stormont Estate, Belfast, BT4 3SR (Telephone 028 9052 3153 or Textphone 028 9052 2526).

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