

*Status: Point in time view as at 21/02/2002. This version of this schedule contains provisions that are not valid for this point in time.*  
**Changes to legislation:** There are currently no known outstanding effects for the Disability Discrimination Act 1995, SCHEDULE 2. (See end of Document for details)

## SCHEDULES

### SCHEDULE 2

Section 2(2).

#### PAST DISABILITIES

1 The modifications referred to in section 2 are as follows.

##### Commencement Information

- I1** Sch. 2 wholly in force at 30.5.1996; Sch. 2 not in force at Royal Assent see s. 70(3); Sch. 2 in force (E.W.S.) at 17.5.1996 by S.I. 1996/1336, art. 3(m); Sch. 2 in force (N.I.) at 30.5.1996 by S.R. 1996/219, art. 3(1)

2 References in Parts II and III to a disabled person are to be read as references to a person who has had a disability.

##### Commencement Information

- I2** Sch. 2 wholly in force at 30.5.1996; Sch. 2 not in force at Royal Assent see s. 70(3); Sch. 2 in force (E.W.S.) at 17.5.1996 by S.I. 1996/1336, art. 3(m); Sch. 2 in force (N.I.) at 30.5.1996 by S.R. 1996/219, art. 3(1)

VALID FROM 01/09/2002

[2A References in Chapter 1 of Part 4 to a disabled pupil are to be read as references to a pupil who has had a disability.]

VALID FROM 01/09/2002

<sup>F1</sup>2B References in Chapter 2 of Part 4 to a disabled student are to be read as references to a student who has had a disability.

##### Textual Amendments

- F1** Sch. 2 paras. 2A, 2B inserted (E.W.S.) (1.9.2002) by 2001 c. 10, s. 38(12) (with s. 43(13)); S.I. 2002/2217, art. 3, Sch. 1 Pt. I

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VALID FROM 03/07/2003

2C In section 3A(5), after “not having that particular disability” insert “ and who has not had that particular disability ”.

3 In section 6(1), after “not disabled” insert “ and who have not had a disability ”.

#### Commencement Information

**I3** Sch. 2 wholly in force at 30.5.1996; Sch. 2 not in force at Royal Assent see s. 70(3); Sch. 2 in force (E.W.S.) at 17.5.1996 by S.I. 1996/1336, art. 3(m); Sch. 2 in force (N.I.) at 30.5.1996 by S.R. 1996/219, art. 3(1)

4 In section 6(6), for “has” substitute “ has had ”.

#### Commencement Information

**I4** Sch. 2 wholly in force at 30.5.1996; Sch. 2 not in force at Royal Assent see s. 70(3); Sch. 2 in force (E.W.S.) at 17.5.1996 by S.I. 1996/1336, art. 3(m); Sch. 2 in force (N.I.) at 30.5.1996 by S.R. 1996/219, art. 3(1)

VALID FROM 04/12/2006

4ZA In section 24(3)(e)(i) and (f)(i), after “having” insert “ had ”

VALID FROM 04/12/2006

4ZB In sections 24D(2)(a) and 24J(3)(b), for “did not have” substitute “ had not had ”.

VALID FROM 01/09/2002

[<sup>F2</sup>4A In section 28B(3)(a) and (4), after “disabled” insert “or that he had had a disability”.]

#### Textual Amendments

**F2** Sch. 2 paras. 4A-4E inserted (E.W.S.) (1.9.2002) by 2001 c. 10, s. 38(13) (with s. 43(13); S.I. 2002/2217, art. 3, Sch. 1 Pt. I

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**F<sup>3</sup>4B** In section 28C(1), in paragraphs (a) and (b), after “not disabled” insert “and who have not had a disability”.

**Textual Amendments**

**F3** Sch. 2 paras. 4A-4E inserted (E.W.S.) (1.9.2002) by 2001 c. 10, s. 38(13) (with s. 43(13)); S.I. 2002/2217, art. 3, Sch. 1 Pt. I

VALID FROM 01/09/2002

**F<sup>4</sup>4C** In section 28S(3)(a) and (4), after “disabled” insert “or that he had had a disability”.

**Textual Amendments**

**F4** Sch. 2 paras. 4A-4E inserted (E.W.S.) (1.9.2002) by 2001 c. 10, s. 38(13) (with s. 43(13)); S.I. 2002/2217, art. 3, Sch. 1 Pt. I

VALID FROM 01/09/2002

**F<sup>5</sup>4D** In subsection (1) of section 28T, after “not disabled” insert “and who have not had a disability”.

**Textual Amendments**

**F5** Sch. 2 paras. 4A-4E inserted (E.W.S.) (1.9.2002) by 2001 c. 10, s. 38(13) (with s. 43(13)); S.I. 2002/2217, art. 3, Sch. 1 Pt. I

VALID FROM 01/09/2002

**F<sup>6</sup>4E** In that subsection as substituted by paragraphs 2 and 6 of Schedule 4C, after “not disabled” insert “and who have not had a disability”.

**Textual Amendments**

**F6** Sch. 2 paras. 4A-4E inserted (E.W.S.) (1.9.2002) by 2001 c. 10, s. 39(13) (with s. 43(13)); S.I. 2002/2217, art. 3, Sch. 1 Pt. I

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- 5 For paragraph 2(1) to (3) of Schedule 1, substitute—
- “(1) The effect of an impairment is a long-term effect if it has lasted for at least 12 months.
- (2) Where an impairment ceases to have a substantial adverse effect on a person’s ability to carry out normal day-to-day activities, it is to be treated as continuing to have that effect if that effect recurs.
- (3) For the purposes of sub-paragraph (2), the recurrence of an effect shall be disregarded in prescribed circumstances.”

#### Commencement Information

- I5** Sch. 2 wholly in force at 30.5.1996; Sch. 2 not in force at Royal Assent see s. 70(3); Sch. 2 in force (E.W.S.) at 17.5.1996 by S.I. 1996/1336, art. 3(m); Sch. 2 in force (N.I.) at 30.5.1996 by S.R. 1996/219, art. 3(1)

VALID FROM 01/09/2005

- F76** References in Chapter I of Part III of the 2005 Order to a disabled pupil are to be read as references to a pupil who has had a disability.

#### Textual Amendments

- F7** Sch. 2 para. 6 substituted without change of text (10.8.2006 for certain purposes and 1.9.2006 insofar as not yet in force) by virtue of S.R. 2006/332, regs. 1(2)(3), 14

VALID FROM 01/09/2005

- 7** References in Chapter II of Part III of the 2005 Order to a disabled student are to be read as references to a student who has had a disability.

VALID FROM 01/09/2005

- 8** In Article 15(3)(a) and (4) of the 2005 Order, after “disabled” insert “ or that he had had a disability ”.

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VALID FROM 01/09/2005

9 In Article 16(1) of the 2005 Order, in sub-paragraphs (a) and (b), after “not disabled” insert “ and who have not had a disability ”.

VALID FROM 01/09/2005

10 In Article 29(3)(a) and (4) of the 2005 Order, after “disabled” insert “ or that he had had a disability ”.

VALID FROM 01/09/2005

11 In Articles 30(1)(a) and (b) and 37(1)(d), (2)(c) and (3) of the 2005 Order, after “not disabled” “ and who have not had a disability ”.

VALID FROM 01/09/2005

12 In Article 35(8) of the 2005 Order after “not having that particular disability” insert “ and who has not had that particular disability ”.

VALID FROM 01/09/2005

13 In Article 37(4)(b) of the 2005 Order for “has” substitute “ has had ”.

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