
EXPLANATORY NOTE

(This note is not part of the Order)

This Order appoints 1st July 2007 for the coming into effect of the Disability Discrimination Act 1995 Code of Practice for providers of post 16 education and related services (ISBN 978 011 703730 4) (“the new Code”) which was issued by the Disability Rights Commission (“DRC”) on 13th April 2007 under section 53A(1) of the Disability Discrimination Act 1995 (“the Act”).

The new Code has been prepared by the DRC to provide practical guidance to providers of post 16 education in relation to their duties under Chapter 2 of Part 4 of the Act, as amended by the Disability Discrimination Act 1995 (Amendment) (Further and Higher Education) Regulations 2006.

Article 3 makes transitional provision about acts taking place before 1st July 2007. Where it is alleged that a person has, before 1st July 2007 committed an act which is unlawful discrimination for the purposes of Chapter 2 of Part 4 of the Act, the new Code is not to have effect for the purposes of section 53A(8A) of the Act. Section 53A(8A) of the Act requires a court of tribunal hearing any proceedings to take into account any provision of a code of practice which appears to it to be relevant.

The new Code will replace the Disability Discrimination Act 1995 Code of Practice for providers of post 16 Education and related services (DRC reference COPP16July2002) which was brought into force on 1st September 2002 (S.I. 2002/2216) and is to be revoked on 1st July 2007 (S.I. 2007/1495).

A copy of the new Code may be purchased from The Stationery Office (PO Box 29, Duke Street, Norwich, NR3 1GN; Tel No 0870 600 5522; Website: www.tso.co.uk) or from the Stationery Office Bookshops, or downloaded free of charge from the DRC website: www.drc-gb.org.

A regulatory impact assessment has not been prepared for this Order as the Code of Practice has no additional impact on the costs of business, charities or the voluntary sector over and above that of the legislation which is already in force.