

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations set out basis on which the Secretary of State will decide which parliamentary procedure is to be followed when making an order under section 47(1) of the Disability Discrimination Act 1995 (c. 50), as substituted by section 6(3) of the Disability Discrimination Act 2005 (c. 13).

Regulations 2 to 4 set out the circumstances in which such an order would normally be subject to the negative resolution procedure, so that it could be annulled following the passing of a resolution by either House. *Regulation 5* sets out the circumstances in which an order would normally be subject to the draft affirmative resolution procedure, requiring the instrument to be laid and approved by a resolution of both Houses of Parliament before being made and brought into force.

The Secretary of State may however decide to adopt a different procedure for a particular order having regard to representations by the Disabled Persons Transport Advisory Committee.

An impact assessment has not been produced for this instrument because no additional costs on business, charities or the voluntary sector are foreseen and the impact on the public sector is negligible.