

*Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995, Paragraph 8. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 1

#### PROVISIONS SUPPLEMENTING SECTION 1

##### Extent Information

- E1** In its application to Northern Ireland, this Schedule has effect subject to the modifications set out in Sch. 8; see s. 70(6)

##### Modifications etc. (not altering text)

- C1** S. 1, Sch. 1 applied (N.I.) (6.4.2005) by The Special Educational Needs and Disability (Northern Ireland) Order (S.I. 2005/1117 (N.I. 6)), {art. 2(3)}

#### *Progressive conditions*

- 8 <sup>F1</sup>(1) Where—
- (a) a person has a progressive condition (such as cancer, multiple sclerosis or muscular dystrophy or <sup>F2</sup>HIV infection),
  - (b) as a result of that condition, he has an impairment which has (or had) an effect on his ability to carry out normal day-to-day activities, but
  - (c) that effect is not (or was not) a substantial adverse effect,
- he shall be taken to have an impairment which has such a substantial adverse effect if the condition is likely to result in his having such an impairment.
- (2) Regulations may make provision, for the purposes of this paragraph—
- (a) for conditions of a prescribed description to be treated as being progressive;
  - (b) for conditions of a prescribed description to be treated as not being progressive.]

##### Extent Information

- E1** Following the repeal of this Act for E.W.S. by the Equality Act 2010, this provision now extends to N.I. only.

##### Textual Amendments

- F1** Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279](#), [Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279](#), [art. 16](#)); [S.I. 2010/2317](#), [art. 2\(15\)\(f\)](#) (with arts. 4-25, Schs. 1-16); [S.I. 2011/1066](#), [art. 2\(h\)](#)
- F2** Words in [Sch. 1 para. 8\(1\)\(a\)](#) substituted (E.W.S.) (5.12.2005) by [Disability Discrimination Act 2005 \(c. 13\)](#), ss. 19(1), 20(3)-(6), [Sch. 1 para. 36](#); [S.I. 2005/2774](#), [art. 3\(j\)](#) and said words substituted (N.I.) (31.10.2007) by The Disability Discrimination (Northern Ireland) Order ([S.I. 2006/312 \(N.I. 1\)](#)), arts. 1, 19(1), {Sch. 1 para. 27}; [S.R. 2007/430](#), [art. 2\(b\)](#)

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#### **Commencement Information**

- II** Sch. 1 para. 8 wholly in force at 30.5.1996; Sch. 1 para. 8 not in force at Royal Assent see s. 70(3); Sch. 1 para. 8 in force (E.W.S.) at 17.5.1996 by S.I. 1996/1336, **art. 3(m)**; Sch. 1 para. 8 in force (N.I.) at 30.5.1996 by S.R. 1996/219, **art. 3(1)**

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