



Disability Discrimination Act 1995

1995 CHAPTER 50

PART I

DISABILITY

2 Past disabilities.

- [^{F1}(1) The provisions of this Part and Parts II [^{F2}, III and VA][^{F3} and Part III of the 2005 Order] apply in relation to a person who has had a disability as they apply in relation to a person who has that disability.
- (2) Those provisions are subject to the modifications made by Schedule 2.
- (3) Any regulations or order made under this Act [^{F4} or Part III of the 2005 Order] may include provision with respect to persons who have had a disability.
- (4) In any proceedings under Part II [^{F5}, III or VA] of this Act [^{F6} or Part III of the 2005 Order], the question whether a person had a disability at a particular time (“the relevant time”) shall be determined, for the purposes of this section, as if the provisions of, or made under, this Act [^{F6} or Part III of the 2005 Order] in force when the act complained of was done had been in force at the relevant time.
- (5) The relevant time may be a time before the passing of this Act [^{F7} or (as the case may be) the making of the 2005 Order].]

Extent Information

- E1** Following the repeal of this Act for E.W.S. by the Equality Act 2010, this section now extends to N.I. only. Prior to that repeal, different versions of this section had been created for N.I. and E.W.S. respectively to reflect the different amendment history for each jurisdiction. This version is based on the N.I. version as it stood at the date of the repeal. It does not reflect the history of E.W.S. effects prior to the 2010 repeal, which can be found in earlier versions.

Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995, Section 2. (See end of Document for details)

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- F1** Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27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 [s. 2\(1\)](#) substituted (N.I.) (31.10.2007) by virtue of [The Disability Discrimination \(Northern Ireland\) Order 2006 \(S.I. 2006/312 \(N.I. 1\)\)](#), arts. 1, 19(1), [Sch. 1 para. 2\(2\)](#); [S.R. 2007/430, art. 2\(b\)](#)
- F3** Words in [s. 2\(1\)](#) inserted (N.I.) (1.9.2005 for certain purposes, otherwise 16.1.2007) by [The Special Educational Needs and Disability \(Northern Ireland\) Order \(S.I. 2005/1117 \(N.I. 6\)\)](#), arts. 1, {48(3) (a)}; [S.R. 2005/336, art. 2, Sch.](#) (as amended (16.1.2007) by [S.R. 2007/25, art. 2](#)); [S.R. 2005/337, art. 2, Sch.](#)
- F4** Words in [s. 2\(3\)](#) inserted (N.I.) (1.9.2005 for certain purposes, otherwise 16.1.2007) by [The Special Educational Needs and Disability \(Northern Ireland\) Order \(S.I. 2005/1117 \(N.I. 6\)\)](#), arts. 1, {48(3) (b)}; [S.R. 2005/336, art. 2, Sch.](#) (as amended (16.1.2007) by [S.R. 2007/25, art. 2](#)); [S.R. 2005/337, art. 2, Sch.](#)
- F5** Words in [s. 2\(4\)](#) substituted (N.I.) (31.10.2007) by [The Disability Discrimination \(Northern Ireland\) Order 2006 \(S.I. 2006/312 \(N.I. 1\)\)](#), arts. 1, 19(1), [Sch. 1 para. 2\(3\)](#); [S.R. 2007/430, art. 2\(b\)](#)
- F6** Words in [s. 2\(4\)](#) inserted (N.I.) (1.9.2005 for certain purposes, otherwise 16.1.2007) by [The Special Educational Needs and Disability \(Northern Ireland\) Order \(S.I. 2005/1117 \(N.I. 6\)\)](#), arts. 1, {48(3) (c)}; [S.R. 2005/336, art. 2, Sch.](#) (as amended (16.1.2007) by [S.R. 2007/25, art. 2](#)); [S.R. 2005/337, art. 2, Sch.](#)
- F7** Words in [s. 2\(5\)](#) inserted (N.I.) (1.9.2005 for certain purposes, otherwise 16.1.2007) by [The Special Educational Needs and Disability \(Northern Ireland\) Order \(S.I. 2005/1117 \(N.I. 6\)\)](#), arts. 1, {48(3) (d)}; [S.R. 2005/336, art. 2, Sch.](#) (as amended (16.1.2007) by [S.R. 2007/25, art. 2](#)); [S.R. 2005/337, art. 2, Sch.](#)

Commencement Information

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

Changes to legislation:

There are currently no known outstanding effects for the Disability Discrimination Act 1995, Section 2.