

2000 No. 880 (C. 21)

DISABLED PERSONS

**The Disability Rights Commission Act 1999
(Commencement No. 2 and Transitional Provision) Order
2000**

Made - - - - 18th March 2000

The Secretary of State, in exercise of the powers conferred on him by section 16(2) and (3) of the Disability Rights Commission Act 1999(a), hereby makes the following Order:

Citation and interpretation

1.—(1) This Order may be cited as the Disability Rights Commission Act 1999 (Commencement No. 2 and Transitional Provision) Order 2000.

(2) In this Order—

“the 1995 Act” means the Disability Discrimination Act 1995(b); and

“the 1999 Act” means the Disability Rights Commission Act 1999.

Commencement of the 1999 Act

2. The provisions of the 1999 Act specified in column 1 of Schedule 1 to this Order (which relate to the matters mentioned in column 2 of that Schedule) shall come into force for the purposes described in column 3 of that Schedule on the date specified in relation to that Schedule in the following table and the provisions of the 1999 Act specified in column 1 of Schedule 2 to this Order (which relate to the matters mentioned in column 2 of that Schedule) shall come into force generally on the date specified in relation to that Schedule in the following table—

Schedule 1	23rd March 2000
Schedule 2	25th April 2000

Transitional provision

3.—(1) Notwithstanding the deletion of the words in paragraph 6(2) of Schedule 3 to the 1995 Act by paragraph 3(3) of Schedule 4 to the 1999 Act, paragraph (2) below shall apply until 30th June 2000.

(2) Where, in relation to proceedings or prospective proceedings under section 25 of the 1995 Act, a person appointed in connection with arrangements which have been made before 25th April 2000 by the Secretary of State under section 28 of the 1995 Act is approached before the end of the period mentioned in paragraph 6(1) of Schedule 3 to the 1995 Act, that period shall be extended by two months.

18th March 2000

Margaret Hodge
Parliamentary Under Secretary of State for
Employment and Equal Opportunities

(a) 1999 c. 17.

(b) 1995 c. 50.

SCHEDULE 1

Article 2

PROVISIONS OF THE 1999 ACT COMING INTO FORCE ON 23rd MARCH 2000

(1) <i>Provisions of the Act</i>	(2) <i>Subject matter of provisions</i>	(3) <i>Purposes</i>
Section 3(5)	Formal investigations	Bringing into effect the Secretary of State's regulation making powers contained in paragraph 26(a) of Schedule 3 to the 1999 Act
Section 4(6)	Non-discrimination notices and action plans	Bringing into effect the Secretary of State's powers to prescribe any matter in regulations made by him contained in paragraphs 15(3), 16(3), 16(4), 17(4), 18(2), and 18(3)(a) and (b) of Schedule 3 to the 1999 Act and the Secretary of State's regulation making powers contained in paragraph 26(a) of Schedule 3 to the 1999 Act
In Schedule 3, paragraphs 15(3), 16(3), 16(4), 17(4), 18(2), and 18(3)(a) and (b)	Action plans	The Secretary of State's powers to prescribe any matter in regulations made by him
In Schedule 3, paragraph 26(a)	Formal investigations and non-discrimination notices	All purposes

SCHEDULE 2

Article 2

PROVISIONS OF THE 1999 ACT COMING INTO FORCE ON 25th APRIL 2000

(1) <i>Provisions of the Act</i>	(2) <i>Subject matter of provisions</i>
Section 1(4)	Abolition of the National Disability Council
Section 2	General functions
Section 3, in so far as it is not already in force	Formal investigations
Section 4, in so far as it is not already in force	Non-discrimination notices and action plans
Section 5	Agreements in lieu of enforcement action
Section 6	Persistent discrimination
Section 7	Assistance in relation to proceedings
Section 8	Recovery of expenses of providing assistance

(1) <i>Provisions of the Act</i>	(2) <i>Subject matter of provisions</i>
Section 9	Codes of practice
Section 10	Conciliation of disputes under Part III of the 1995 Act
Section 11	Procedure for amending section 7(1) of the 1995 Act
Section 14(1), in so far as it is not already in force	Consequential amendments
Section 14(2), to the extent that it relates to any provision in Schedule 5 to the 1999 Act specified in the Appendix to this Schedule	Repeals
Schedule 2	Additional commissioners
Schedule 3, in so far as it is not already in force	Formal investigations, non-discrimination notices and action plans
Schedule 4, in so far as it is not already in force	Minor and consequential amendments to the 1995 Act
Schedule 5, to the extent that it relates to any provision specified in the Appendix to this Schedule	Repeals

APPENDIX

REPEALS TAKING EFFECT ON 25th APRIL 2000

<i>Chapter</i>	<i>Short Title</i>	<i>Extent of repeal</i>
1975 c. 24	House of Commons Disqualification Act 1975	In Part II of Schedule 1, the entry relating to the National Disability Council
1975 c. 25	Northern Ireland Assembly Disqualification Act 1975	In Part II of Schedule 1, the entry relating to the National Disability Council
1995 c. 50	Disability Discrimination Act 1995	Section 50 Section 51(1) and (2) Section 52(1) to (10) and (12) Section 53(1) to (3), (8) and (9) Section 54(1) to (7) and (9) In section 70(7), the words “The National Disability Council” Schedule 5

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings certain provisions of the Disability Rights Commission Act 1999 into force on 23rd March 2000 and 25th April 2000 respectively.

The provisions brought into force on 23rd March 2000 confer power on the Secretary of State to make regulations in connection with the conduct of formal investigations or the procedure for issuing non-discrimination notices, and to prescribe in regulations the periods at the end of which an action plan becomes final.

The provisions brought into force on 25th April 2000 relate to the abolition of the National Disability Council, the powers and duties of the Disability Rights Commission, the procedure for amending section 7(1) of the Disability Discrimination Act 1995, and consequential amendments and repeals.

The Order also contains a transitional provision relating to paragraph 6(2) of Schedule 3 to the Disability Discrimination Act 1995.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The following provisions of the Act have been brought into force by commencement order made before the date of this Order:

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Sections 1(1)–(3), 12, 13, 14(1) (partly), 15, Schedule 1, Schedule 4 (partly)	6.8.1999	1999/2210

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