

# Draft Disability Discrimination (Northern Ireland) Order

Response Booklet



Office of the  
**First Minister and  
Deputy First Minister**

[www.ofmdfmi.gov.uk](http://www.ofmdfmi.gov.uk)

# **DRAFT DISABILITY DISCRIMINATION (NI) ORDER IN COUNCIL**

## **QUESTIONNAIRE**

You may find this form useful when responding to the consultation on the draft Disability Discrimination Order in Council. For ease of reference, this booklet is arranged to reflect the order in which the various Articles under consideration appear in the consultation document.

Most of the questions included in this booklet simply require a tick in one of the boxes available in order to indicate a preferred option. However, comments are also sought and encouraged in order to determine why you have chosen a particular option or to seek your views on the proposed measures. If making comments, you may continue on a separate sheet if you wish.

**The consultation closes on 28 March 2005**

Please return the completed questionnaire to the FREEPOST address below:

**Disability Order in Council Team  
Office of the First Minister and Deputy First Minister  
Room E3.13  
FREEPOST 3900  
Belfast  
BT4 3BR**

## **Personal information**

To assist us in the collation and analysis of responses, please provide us with the following information, using block capitals:

**Name:**

**Organisation:**

**Position in Organisation:**

**Address:**

Please place a tick next to the **one** category (listed below) which best describes the capacity in which you are replying:

Employer

Self-Employed

Service Provider

Trade Union

Body Representing Employers

Body Representing Service Providers

Voluntary Organisation

Individual Disabled Person

Individual Non-Disabled Person

Local Authority

Other Public Body

Other (please specify)

### **District councils**

1. Do you agree that Article 3 adequately extends the DDA to local councillors?

Yes

No

No view either way

### **Comments**

### **Discrimination by public authorities**

2. Do you agree that Article 4 adequately extends disability legislation to cover all functions of public authorities?

Yes

No

No view either way

### **Comments**

## **Police**

3. Do you agree that Article 5 adequately ensures that the Chief Constable or the Policing Board can be held liable for discriminatory acts of police officers?

Yes

No

No view either way

## **Comments**

## **Application of sections 19 to 21 of the 1995 Act to transport vehicles**

4. Do you agree that Article 6 adequately removes the exemption for transport operators from some Part III duties allowing that exemption to be lifted for different vehicles at different times?

Yes

No

No view either way

## **Comments**

### **Rail vehicles: application of accessibility regulations**

5. Do you agree that Article 7 adequately ensures that rail vehicle accessibility regulations can be applied to all rail vehicles, and not just those first brought into use after 1998, at a date to be specified in regulations?

Yes

No

No view either way

### **Comments**

### **Rail vehicles: accessibility compliance certificates**

6. Do you agree that Article 8 adequately ensures that new provisions can be introduced requiring rail vehicle accessibility compliance certificates to be obtained for prescribed rail vehicles?

Yes

No

No view either way

### **Comments**

### **Rail vehicles: enforcement and penalties**

7. Do you agree that Article 9 adequately ensures that the existing criminal offence for use of a rail vehicle which does not conform with rail vehicle accessibility regulations can be replaced with a civil enforcement system, that sets out a procedure for imposing civil penalties, including a right of appeal to a court?

Yes

No

No view either way

### **Comments**

### **Discriminatory advertisements**

8. Do you agree that Article 10 adequately makes discriminatory advertisements unlawful in particular extending the provisions to the role of third party publishers?

Yes

No

No view either way

### **Comments**

### **Group insurance**

9. Do you agree that Article 11 adequately ensures that providers of group insurance and employers are each responsible for their own actions in respect of the provision of group insurance for disabled employees?

Yes

No

No view either way

### **Comments**

### **Private Clubs**

10. Do you agree that Article 12 adequately extends the DDA to cover private clubs with 25 or more members? (NB: further consultation will be required before future Regulations regarding this Article can be introduced).

Yes

No

No view either way

### **Comments**

### **Discrimination in relation to letting of premises**

11. Do you agree that Article 13 would adequately extend aspects of the duty to provide reasonable adjustments to landlords and others who manage rented premises?

Yes

No

No view either way

#### **Comments**

### **Power to modify or end small dwellings exemption**

12. Do you agree that Article 14 adequately provides for future removal of the small dwellings exemption from Part III of the DDA if required?

Yes

No

No view either way

#### **Comments**

**Generalisation of section 56 of the 1995 Act in relation to Part III claims**

13. Do you agree that Article 15 adequately provides for a questionnaire procedure for claims under Part III of the DDA?

Yes

No

No view either way

**Comments**

### **Meaning of Disability**

14. Do you agree that Article 16 adequately ensures protection for people with HIV infection, multiple sclerosis or cancer under the DDA?

Yes

No

No view either way

### **Comments**

15. Do you agree that Article 16 adequately ensures that the clinically well recognised condition for mental illness is removed?

Yes

No

No view either way

### **Comments**

## **EQUALITY IMPACT ASSESSMENT**

**To enable us to complete an Equality Impact Assessment of the proposals contained in the Order, it is important that we have your views during this consultation process on how they will impact on equality.**

16. Is there any additional data or information that might be used to assess the equality impact of the proposals in this consultation?

Yes

No

**Comments**

17. Do you agree that the proposals do not have any adverse impact on any of the groups included within section 75 of the Northern Ireland Act 1998?

Yes

No

No view either way

**Comments**

18. Have you any thoughts or views on an alternative approach?

Yes

No

No view either way

**Comments**

19. Do you have any other comments on the equality impact of these proposals?

Yes

No

**Comments**

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