

2007 No. 1495

DISABLED PERSONS

The Disability Discrimination Code of Practice (Providers of Post 16 Education) (Revocation) Order 2007

<i>Made</i> - - - -	<i>22nd May 2007</i>
<i>Laid before Parliament</i>	<i>31st May 2007</i>
<i>Coming into force</i> - -	<i>1st July 2007</i>

The Secretary of State for Education and Skills, in exercise of the powers conferred by sections 53A(6)(c) and 67(3)(a) of the Disability Discrimination Act 1995(a), and at the request of the Disability Rights Commission, makes the following Order:

Citation and commencement

1. This Order may be cited as the Disability Discrimination Code of Practice (Providers of Post 16 Education) (Revocation) Order 2007 and shall come into force on 1st July 2007.

Revocation

2. Subject to article 3, the Disability Discrimination Act 1995 Code of Practice for Providers of Post 16 Education and related services (DRC reference COPP16July2002) is revoked(b).

Transitional provision

3. The Code of Practice referred to in article 2 is to continue to have effect for the purposes of section 53A(8A) of the Disability Discrimination Act 1995(c) in relation to any proceedings (whenever commenced) arising from a complaint alleging that a person has, before 1st July 2007, committed an act which is unlawful discrimination for the purposes of any provision of Chapter 2 of Part 4 of that Act.

22nd May 2007

Andrew Adonis
Parliamentary Under Secretary of State
Department for Education and Skills

(a) 1995 c.50. Section 53A was inserted by the Disability Rights Commission Act 1999 (c.17), section 9(1). Section 67(3) was amended by the Disability Discrimination Act 2005 (c.13), Schedule 1, paragraphs 1 and 33(1) and (3).
(b) This Code of Practice was brought into force on 1st September 2002 by S.I. 2002/2216.
(c) Section 53A(8A) was inserted by the Special Educational Needs and Disability Act 2001 (c.10), section 36(1) and (4), and amended by the Disability Discrimination Act 2005, Schedule 1, paragraphs 1 and 28(1) and (6).

EXPLANATORY NOTE

(This note is not part of the Order)

This Order revokes, with effect from 1st July 2007, the Disability Discrimination Act 1995 Code of Practice for providers of post 16 Education and related services (DRC reference COPP16July2002), which was issued by the Disability Rights Commission under section 53A(1) of the Disability Discrimination Act 1995, and came into effect on 1st September 2002 (S.I. 2002/2216).

Article 3 of the Order provides for the Code to continue to have effect in the case of proceedings relating to an alleged act of unlawful discrimination which took place before 1st July 2007. This is for the purposes of section 53A(8A) of the Disability Discrimination Act 1995, which requires a court or tribunal to take into account any provision of a code of practice which appears to it to be relevant.

A new Code of Practice was issued by the Disability Rights Commission on 13th April 2007 entitled "Providers of Post 16 Education and related services" (ISBN 978 011 703730 4) and is to come into effect on 1st July 2007 (S.I. 2007/1496).

A regulatory impact assessment has not been prepared for this Order as it has no impact on the costs of business, charities or the voluntary sector.

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