



Notification Number: 2001/486/UK

## **The Disability Discrimination (Providers of Services) (Adjustment of Premises) Regulations (Northern Ireland) 2002**

Date received : 30/11/2001

End of Standstill : 01/03/2002

### Message

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Représentation Permanente du Luxembourg

Message 001

Communication from the Commission - SG(2001) D/52593  
Directive 98/34/EC

Notifikation - Notifizierung - Γνωστοποίηση - Notificación - Notification - Notifica - Kennisgeving -  
Notificação - Ilmoitus - Anmälan : 2001/486/UK.

Fristerne indledes ikke - Kein Fristbeginn - Καμμία έναρξη προθεσμίας - Does not open the delays - No abre el  
plazo - N'ouvre pas de délais - Non fa decorrere la mora - Geen termijnbegin - Nao inicia o prazo - Määräaika ei  
ala tästä - Inleder ingen frist.

(MSG: 200102593.EN)

**1. Structured Information Line**

MSG 001 IND 2001 0486 UK EN 01-03-2002 30-11-2001 UK NOTIF 01-03-2002

**2. Member State**

United Kingdom

**3. Department Responsible**

Department of Trade and Industry: Standards and Technical Regulations Directorate

**3. Originating Department**

Office of the First Minister and Deputy First Minister

**4. Notification Number**

2001/486/UK – B00



## 5. Title

The Disability Discrimination (Providers of Services) (Adjustment of Premises) Regulations (Northern Ireland) 2002

## 6. Products Concerned

Building products, in particular, paving slabs, steps, handrails, doorways, lifts, stairs and ramps

## 7. Notification Under Another Act

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## 8. Main Content

Regulation 3 and the Schedule in effect mean that a service provider who provides services from a building will not have to remove or alter physical features for the purpose of complying with the reasonable adjustments duty in Part III of the Disability Discrimination Act 1995 if those features accord with the relevant provisions set out in Technical Booklet R and 10 years or less have passed since their construction or installation. The Technical Booklet R refers to standards and specifications. The draft Regulation provides that where it does so the standards and specifications referred to in the Technical Booklet shall be construed as referring to any equivalent standard or specification recognised for use in any member state of the European Community or European Economic Area.

## 9. Brief Statement of Grounds

The reason for the Regulation arises from section 21(2) of the Disability Discrimination Act 1995. By reason of that section a person who provides services to the public may be required to take reasonable steps to remove or alter a physical feature of his premises if that feature makes it impossible or unreasonably difficult for a disabled person to use his service. If he fails to take such steps a successful claim may be brought against him by a disabled person who is unable or finds it difficult to use the service.

In Northern Ireland Part R of the Building Regulations (Northern Ireland) 2000 requires new buildings to make reasonable provisions for access and use by disabled people, sanitary accommodation and sanitary conveniences for disabled people and accommodating disabled people if the building contains audience or spectator seating.

Technical Booklet R is a booklet prepared by the Department of Finance and Personnel and has been notified to the Commission under this Directive. The booklet sets out provisions which, if followed, will satisfy the requirements of Part R of the Building Regulations.

The purpose of this Regulation is to make clear that a feature which accords with the relevant provisions set out in Technical Booklet R in relation to that feature does not have to be altered or removed if 10 years or less have passed since its construction or installation.

## 10. Reference Documents - Basic Texts

Part III of the Disability Discrimination Act 1995, as modified for Northern Ireland.

The draft Building Regulations (Northern Ireland) 2000 and draft Technical Booklet R were submitted with notification number 2000/0475/UK.



**11. Invocation of the Emergency Procedure**

No

**12. Grounds for the Emergency**

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**13. Confidentiality**

No

**14. Fiscal measures**

No

David O'Sullivan  
General Secretary  
European Commission