Autism Act (Northern Ireland) 2011

CHAPTER 27

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Autism Act (Northern Ireland) 2011

2011 CHAPTER 27

An Act to amend the Disability Discrimination Act 1995 and to require an autism strategy to be prepared. [9th May 2011]

BE IT ENACTED by being passed by the Northern Ireland Assembly and assented to by Her Majesty as follows:

Amendment to Schedule 1 to the Disability Discrimination Act 1995

Amendment to Schedule 1 to the Disability Discrimination Act 1995 (c. 50)

1.—(1) The Disability Discrimination Act 1995 is amended in its application to Northern Ireland as follows.

(2) At the end of paragraph 4(1) of Schedule 1 insert—

"(i) taking part in normal social interaction; or

(j) forming social relationships"

The Autism Strategy

Autism strategy

2.—(1) The Department must prepare a strategy on autism to be known as the autism strategy and must publish the autism strategy not less than two years after the passing of this Act.

(2) Before preparing the autism strategy, the Department must consult the Northern Ireland departments on it.

(3) The Department must request every HSC trust to provide data on the prevalence of autism in its area in order—

(a) that it can publish and update the strategy; and

(b) that the Northern Ireland departments can effectively implement the strategy.

(4) The HSC trusts must provide the Department with all information it requests under subsection (3).

(5) The Department must keep the autism strategy under review and must publish a revised strategy at intervals of not more than seven years.

(6) The Department must monitor the implementation of the autism strategy by the Northern Ireland departments.

(7) The Northern Ireland departments must co-operate with the Department in relation to the preparation, review and implementation of the autism strategy.

(8) The Northern Ireland departments must implement that part of the autism strategy which falls within their responsibilities and the Department must implement that part of the autism strategy which falls within its responsibilities.

(9) Not more than three years after the publication of the autism strategy, and at intervals of no more than three years thereafter, the Department must prepare a report on implementation of the autism strategy by the Northern Ireland departments and the Department.

(10) The Minister shall lay a report prepared by the Department under subsection (9) before the Assembly as soon as possible after its preparation.

Content of the autism strategy

3.—(1) The autism strategy must set out how the needs of persons with autism are to be addressed throughout their lives.

(2) Without prejudice to the generality of subsection (1) the needs to be set out in the autism strategy shall include the health care, educational and social needs of persons with autism.

(3) The autism strategy must set out how the needs of families and carers of persons with autism are to be addressed.

(4) The autism strategy must set out the Department's proposals for promoting an autism awareness campaign.

(5) The Department may make regulations as regards the content of the autism strategy.

(6) No regulation may be made under this section unless a draft of the regulation has been laid before, and approved by resolution of, the Assembly.

(7) Before making a regulation under this section the Department must consult the Northern Ireland departments and other such persons as the Department thinks appropriate.

Supplementary

Interpretation

4.—(1) In this Act, unless the context otherwise requires—

"autism" means autism, Asperger's syndrome, Rett's syndrome, Heller's syndrome or any pervasive developmental disorder not otherwise specified;

"autism strategy" means the strategy required to be published under section 2;

"carer", in relation to a person with autism, means an individual who provides a substantial amount of care on a regular basis for that person;

"the Department" means the Department of Health, Social Services and Public Safety;

"HSC trust" refers to a body established under Article 10 of the Health and Personal Social Services (Northern Ireland) Order 1991 (NI 1);

"the Minister" means the Minister of Health, Social Services and Public Safety;

"Northern Ireland department" means the Department of Culture, Arts and Leisure, the Department of Education, the Department for Employment and Learning, the Department of Agriculture and Rural Development, the Department of Enterprise, Trade and Investment, the Department of the Environment, the Department of Finance and Personnel, the Department of Justice, the Department for Regional Development, the Department for Social Development and the Office of the First Minister and deputy First Minister.

Commencement

5. This Act comes into operation after the end of the period of three months beginning with the day on which it is passed.

Short title

6. This Act may be cited as the Autism Act (Northern Ireland) 2011.

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