

Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995. (See end of Document for details)

SCHEDULES

SCHEDULE 1

Section 1(1).

PROVISIONS SUPPLEMENTING SECTION 1

Extent Information

- E1** In its application to Northern Ireland, this Schedule has effect subject to the modifications set out in Sch. 8; see s. 70(6)

Modifications etc. (not altering text)

- C1** S. 1, Sch. 1 applied (N.I.) (6.4.2005) by The Special Educational Needs and Disability (Northern Ireland) Order (S.I. 2005/1117 (N.I. 6)), {art. 2(3)}

Impairment

1 [F1(1) F2

- (2) Regulations may make provision, for the purposes of this Act—
- (a) for conditions of a prescribed description to be treated as amounting to impairments;
 - (b) for conditions of a prescribed description to be treated as not amounting to impairments.
- (3) Regulations made under sub-paragraph (2) may make provision as to the meaning of “condition” for the purposes of those regulations.]

Textual Amendments

- F1** Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279, Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279, art. 16](#)); [S.I. 2010/2317, art. 2\(15\)\(f\)](#) (with arts. 4-25, Schs. 1-16); [S.I. 2011/1066, art. 2\(h\)](#)
- F2** Sch. 1 para. 1(1) repealed (E.W.S.) (5.12.2005) by [Disability Discrimination Act 2005 \(c. 13\)](#), [ss. 18\(2\)](#), 19(2), 20(3)-(6), [Sch. 2](#); [S.I. 2005/2774, art. 3\(i\)\(k\)\(i\)](#) and said Sch. 1 para. 1(1) repealed (N.I.) (31.10.2007) by The Disability Discrimination (Northern Ireland) Order ([S.I. 2006/312 \(N.I. 1\)](#)), arts. 1, {18(2)}, 19(2), {Sch. 2}; [S.R. 2007/430, art. 2\(a\)\(d\)](#)

Commencement Information

- I1** Sch. 1 para. 1 wholly in force at 30.5.1996; Sch. 1 para. 1 not in force at Royal Assent see s. 70(3); Sch. 1 para. 1 in force (E.W.S.) at 17.5.1996 by [S.I. 1996/1336, art. 3\(m\)](#); Sch. 1 para. 1 in force (N.I.) at 30.5.1996 by [S.R. 1996/219, art. 3\(1\)](#)

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Long-term effects

- 2 [F3(1) The effect of an impairment is a long-term effect if—
- (a) it has lasted at least 12 months;
 - (b) the period for which it lasts is likely to be at least 12 months; or
 - (c) it is likely to last for the rest of the life of the person affected.
- (2) Where an impairment ceases to have a substantial adverse effect on a person’s ability to carry out normal day-to-day activities, it is to be treated as continuing to have that effect if that effect is likely to recur.
- (3) For the purposes of sub-paragraph (2), the likelihood of an effect recurring shall be disregarded in prescribed circumstances.
- (4) Regulations may prescribe circumstances in which, for the purposes of this Act—
- (a) an effect which would not otherwise be a long-term effect is to be treated as such an effect; or
 - (b) an effect which would otherwise be a long-term effect is to be treated as not being such an effect.]

Extent Information

E2 Following the repeal of this Act for E.W.S. by the Equality Act 2010, this provision now extends to N.I. only.

Textual Amendments

F3 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279](#), [Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279](#), [art. 16](#)); [S.I. 2010/2317](#), [art. 2\(15\)\(f\)](#) (with [arts. 4-25](#), [Schs. 1-16](#)); [S.I. 2011/1066](#), [art. 2\(h\)](#)

Commencement Information

I2 [Sch. 1 para. 2](#) wholly in force at 30.5.1996; [Sch. 1 para. 2](#) not in force at Royal Assent see [s. 70\(3\)](#); [Sch. 1 para. 2](#) in force (E.W.S.) at 17.5.1996 by [S.I. 1996/1336](#), [art. 3\(m\)](#); [Sch. 1 para. 2](#) in force (N.I.) at 30.5.1996 by [S.R. 1996/219](#), [art. 3\(1\)](#)

Severe disfigurement

- 3 [F4(1) An impairment which consists of a severe disfigurement is to be treated as having a substantial adverse effect on the ability of the person concerned to carry out normal day-to-day activities.
- (2) Regulations may provide that in prescribed circumstances a severe disfigurement is not to be treated as having that effect.
- (3) Regulations under sub-paragraph (2) may, in particular, make provision with respect to deliberately acquired disfigurements.]

Extent Information

E3 Following the repeal of this Act for E.W.S. by the Equality Act 2010, this provision now extends to N.I. only.

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Textual Amendments

- F4** Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279](#), [Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279](#), [art. 16](#)); [S.I. 2010/2317](#), [art. 2\(15\)\(f\)](#) (with arts. 4-25, Schs. 1-16); [S.I. 2011/1066](#), [art. 2\(h\)](#)

Commencement Information

- I3** [Sch. 1 para. 3](#) wholly in force at 30.5.1996; [Sch. 1 para. 3](#) not in force at Royal Assent see [s. 70\(3\)](#); [Sch. 1 para. 3](#) in force (E.W.S.) at 17.5.1996 by [S.I. 1996/1336](#), [art. 3\(m\)](#); [Sch. 1 para. 3](#) in force (N.I.) at 30.5.1996 by [S.R. 1996/219](#), [art. 3\(1\)](#)

Normal day-to-day activities

- 4 ^[F5](1) An impairment is to be taken to affect the ability of the person concerned to carry out normal day-to-day activities only if it affects one of the following—
- (a) mobility;
 - (b) manual dexterity;
 - (c) physical co-ordination;
 - (d) continence;
 - (e) ability to lift, carry or otherwise move everyday objects;
 - (f) speech, hearing or eyesight;
 - (g) memory or ability to concentrate, learn or understand; or
 - (h) perception of the risk of physical danger.
- ^[F6](i) taking part in normal social interaction; or
- (j) forming social relationships]
- (2) Regulations may prescribe—
- (a) circumstances in which an impairment which does not have an effect falling within sub-paragraph (1) is to be taken to affect the ability of the person concerned to carry out normal day-to-day activities;
 - (b) circumstances in which an impairment which has an effect falling within sub-paragraph (1) is to be taken not to affect the ability of the person concerned to carry out normal day-to-day activities.]

Extent Information

- E4** Following the repeal of this Act for E.W.S. by the Equality Act 2010, this provision now extends to Northern Ireland only

Textual Amendments

- F5** Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279](#), [Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279](#), [art. 16](#)); [S.I. 2010/2317](#), [art. 2\(15\)\(f\)](#) (with arts. 4-25, Schs. 1-16); [S.I. 2011/1066](#), [art. 2\(h\)](#)
- F6** [Sch. 1 para. 4\(1\)\(i\)\(j\)](#) inserted (N.I.) (9.8.2011) by [Autism Act \(Northern Ireland\) 2011 \(c. 27 \(N.I.\)\)](#), [ss. 1\(2\)](#), 5

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Commencement Information

- I4** Sch. 1 para. 4 wholly in force at 30.5.1996; Sch. 1 para. 4 not in force at Royal Assent see s. 70(3); Sch. 1 para. 4 in force (E.W.S.) at 17.5.1996 by S.I. 1996/1336, art. 3(m); Sch. 1 para. 4 in force (N.I.) at 30.5.1996 by S.R. 1996/219, art. 3(1)

Substantial adverse effects

- 5 [F7 Regulations may make provision for the purposes of this Act—
- (a) for an effect of a prescribed kind on the ability of a person to carry out normal day-to-day activities to be treated as a substantial adverse effect;
 - (b) for an effect of a prescribed kind on the ability of a person to carry out normal day-to-day activities to be treated as not being a substantial adverse effect.]

Extent Information

- E5** Following the repeal of this Act for E.W.S. by the Equality Act 2010, this provision now extends to N.I. only

Textual Amendments

- F7** Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by Equality Act 2010 (c. 15), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by S.I. 2010/2279, Sch. 2) (with ss. 6(4), 205, and with amendments and savings in the said S.I. 2010/2279, art. 16); S.I. 2010/2317, art. 2(15)(f) (with arts. 4-25, Schs. 1-16); S.I. 2011/1066, art. 2(h)

Commencement Information

- I5** Sch. 1 para. 5 wholly in force at 30.5.1996; Sch. 1 para. 5 not in force at Royal Assent see s. 70(3); Sch. 1 para. 5 in force (E.W.S.) at 17.5.1996 by S.I. 1996/1336, art. 3(m); Sch. 1 para. 5 in force (N.I.) at 30.5.1996 by S.R. 1996/219, art. 3(1)

Effect of medical treatment

- 6 [F8(1) An impairment which would be likely to have a substantial adverse effect on the ability of the person concerned to carry out normal day-to-day activities, but for the fact that measures are being taken to treat or correct it, is to be treated as having that effect.
- (2) In sub-paragraph (1) “measures” includes, in particular, medical treatment and the use of a prosthesis or other aid.
 - (3) Sub-paragraph (1) does not apply—
 - (a) in relation to the impairment of a person’s sight, to the extent that the impairment is, in his case, correctable by spectacles or contact lenses or in such other ways as may be prescribed; or
 - (b) in relation to such other impairments as may be prescribed, in such circumstances as may be prescribed.]

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Extent Information

- E6** Following the repeal of this Act for E.W.S. by the Equality Act 2010, this provision now extends to N.I. only.

Textual Amendments

- F8** Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279](#), [Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279](#), [art. 16](#)); [S.I. 2010/2317](#), [art. 2\(15\)\(f\)](#) (with arts. 4-25, Schs. 1-16); [S.I. 2011/1066](#), [art. 2\(h\)](#)

Commencement Information

- I6** [Sch. 1 para. 6](#) wholly in force at 30.5.1996; [Sch. 1 para. 6](#) not in force at Royal Assent see [s. 70\(3\)](#); [Sch. 1 para. 6](#) in force (E.W.S.) at 17.5.1996 by [S.I. 1996/1336](#), [art. 3\(m\)](#); [Sch. 1 para. 6](#) in force (N.I.) at 30.5.1996 by [S.R. 1996/219](#), [art. 3\(1\)](#)

Persons deemed to be disabled

- ^{F9}~~Q~~^{F10}(1) Subject to sub-paragraph (2), a person who has cancer, HIV infection or multiple sclerosis is to be deemed to have a disability, and hence to be a disabled person.
- (2) Regulations may provide for sub-paragraph (1) not to apply in the case of a person who has cancer if he has cancer of a prescribed description.
- (3) A description of cancer prescribed under sub-paragraph (2) may (in particular) be framed by reference to consequences for a person of his having it.]]

Extent Information

- E7** Following the repeal of this Act for E.W.S. by the Equality Act 2010, this provision now extends to N.I. only.

Textual Amendments

- F9** [Sch. 1 para. 6A](#) inserted (E.W.S.) (30.6.2005 for certain purposes, otherwise 5.12.2005) by [Disability Discrimination Act 2005 \(c. 13\)](#), ss. {18(3)}, 20(3)-(6); [S.I. 2005/1676](#), [art. 2\(2\)\(f\)](#); [S.I. 2005/2774](#), [art. 3\(i\)](#) and said [Sch. 1 para. 6A](#) inserted (N.I.) (3.7.2006 for certain purposes and otherwise 31.10.2007) by The Disability Discrimination (Northern Ireland) Order ([S.I. 2006/312](#) (N.I. 1)), arts. 1, {18(3)}; [S.R. 2006/289](#), [art. 2\(2\)\(e\)](#); [S.R. 2007/430](#), [art. 2\(a\)](#)
- F10** Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279](#), [Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279](#), [art. 16](#)); [S.I. 2010/2317](#), [art. 2\(15\)\(f\)](#) (with arts. 4-25, Schs. 1-16); [S.I. 2011/1066](#), [art. 2\(h\)](#)

- 7 ^{F11}(1) Sub-paragraph (2) applies to any person whose name is, both on 12th January 1995 and on the date when this paragraph comes into force, in the register of disabled persons maintained under section 6 of the ^{M1}Disabled Persons (Employment) Act 1944.
- (2) That person is to be deemed—
- (a) during the initial period, to have a disability, and hence to be a disabled person; and

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- (b) afterwards, to have had a disability and hence to have been a disabled person during that period.
- (3) A certificate of registration shall be conclusive evidence, in relation to the person with respect to whom it was issued, of the matters certified.
- (4) Unless the contrary is shown, any document purporting to be a certificate of registration shall be taken to be such a certificate and to have been validly issued.
- (5) Regulations may provide for prescribed descriptions of person to be deemed to have disabilities, and hence to be disabled persons, for the purposes of this Act.
- [^{F12}(5A) The generality of sub-paragraph (5) shall not be taken to be prejudiced by the other provisions of this Schedule.]
- (6) Regulations may prescribe circumstances in which a person who has been deemed to be a disabled person by the provisions of sub-paragraph (1) or regulations made under sub-paragraph (5) is to be treated as no longer being deemed to be such a person.
- (7) In this paragraph—
“certificate of registration” means a certificate issued under regulations made under section 6 of the Act of 1944; and
“initial period” means the period of three years beginning with the date on which this paragraph comes into force.]

Extent Information

- E8** Following the repeal of this Act for E.W.S. by the Equality Act 2010, this provision now extends to Northern Ireland only and also has effect subject to the modifications for Northern Ireland set out in Sch. 8 para. 49; see [s. 70\(6\)](#)

Textual Amendments

- F11** Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279](#), [Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279](#), [art. 16](#)); [S.I. 2010/2317](#), [art. 2\(15\)\(f\)](#) (with arts. 4-25, Schs. 1-16); [S.I. 2011/1066](#), [art. 2\(h\)](#)
- F12** [Sch. 1 para. 7\(5A\)](#) inserted (E.W.S.) (30.6.2005 for certain purposes, otherwise 5.12.2005) by [Disability Discrimination Act 2005 \(c. 13\)](#), ss. {18(4)}, 20(3)-(6); [S.I. 2005/1676](#), [art. 2\(2\)\(f\)](#); [S.I. 2005/2774](#), [art. 3\(i\)](#) and said [Sch. 1 para. 7\(5A\)](#) inserted (N.I.) (3.7.2006 for certain purposes and otherwise 31.10.2007) by The Disability Discrimination (Northern Ireland) Order ([S.I. 2006/312 \(N.I. 1\)](#)), arts. 1, {18(4)}; [S.R. 2006/289](#), [art. 2\(2\)\(e\)](#); [S.R. 2007/430](#), [art. 2\(a\)](#)

Marginal Citations

- M1** [1944 c. 10](#).

Progressive conditions

- 8 [^{F13}(1) Where—
- (a) a person has a progressive condition (such as cancer, multiple sclerosis or muscular dystrophy or [^{F14}HIV infection]),
 - (b) as a result of that condition, he has an impairment which has (or had) an effect on his ability to carry out normal day-to-day activities, but
 - (c) that effect is not (or was not) a substantial adverse effect,

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he shall be taken to have an impairment which has such a substantial adverse effect if the condition is likely to result in his having such an impairment.

- (2) Regulations may make provision, for the purposes of this paragraph—
- (a) for conditions of a prescribed description to be treated as being progressive;
 - (b) for conditions of a prescribed description to be treated as not being progressive.]

Extent Information

- E9** Following the repeal of this Act for E.W.S. by the Equality Act 2010, this provision now extends to N.I. only.

Textual Amendments

- F13** Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279](#), [Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279](#), [art. 16](#)); [S.I. 2010/2317](#), [art. 2\(15\)\(f\)](#) (with arts. 4-25, Schs. 1-16); [S.I. 2011/1066](#), [art. 2\(h\)](#)
- F14** Words in [Sch. 1 para. 8\(1\)\(a\)](#) substituted (E.W.S.) (5.12.2005) by [Disability Discrimination Act 2005 \(c. 13\)](#), ss. 19(1), 20(3)-(6), [Sch. 1 para. 36](#); [S.I. 2005/2774](#), [art. 3\(j\)](#) and said words substituted (N.I.) (31.10.2007) by The Disability Discrimination (Northern Ireland) Order ([S.I. 2006/312 \(N.I. 1\)](#)), arts. 1, 19(1), {[Sch. 1 para. 27](#)}; [S.R. 2007/430](#), [art. 2\(b\)](#)

Commencement Information

- I7** [Sch. 1 para. 8](#) wholly in force at 30.5.1996; [Sch. 1 para. 8](#) not in force at Royal Assent see [s. 70\(3\)](#); [Sch. 1 para. 8](#) in force (E.W.S.) at 17.5.1996 by [S.I. 1996/1336](#), [art. 3\(m\)](#); [Sch. 1 para. 8](#) in force (N.I.) at 30.5.1996 by [S.R. 1996/219](#), [art. 3\(1\)](#)

^{F15} Interpretation

Textual Amendments

- F15** [Sch. 1 para. 9](#) and cross-heading inserted (E.W.S.) (30.6.2005 for certain purposes, otherwise 5.12.2005) by [Disability Discrimination Act 2005 \(c. 13\)](#), ss. {18(5)}, 20(3)-(6); [S.I. 2005/1676](#), {[art. 2\(2\)\(f\)](#)}; [S.I. 2005/2774](#), [art. 3\(i\)](#) and said [Sch. 1 para. 9](#) and cross-heading inserted (N.I.) (3.7.2006 for certain purposes, otherwise 31.10.2007) by The Disability Discrimination (Northern Ireland) Order ([S.I. 2006/312 \(N.I. 1\)](#)), {[art. 18\(5\)](#)}; [S.R. 2006/289](#), [art. 2\(2\)\(e\)](#); [S.R. 2007/430](#), [art. 2\(a\)](#)

- 9 ^{F16}[In this Schedule, “HIV infection” means infection by a virus capable of causing the Acquired Immune Deficiency Syndrome.]]

Extent Information

- E10** Following the repeal of this Act for E.W.S. by the Equality Act 2010, this provision now extends to N.I. only.

Textual Amendments

- F16** Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I.](#)

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2010/2279, **Sch. 2**) (with ss. 6(4), 205, and with amendments and savings in the said S.I. 2010/2279, **art. 16**); S.I. 2010/2317, **art. 2(15)(f)** (with arts. 4-25, Schs. 1-16); S.I. 2011/1066, **art. 2(h)**

SCHEDULE 2

Section 2(2).

PAST DISABILITIES

1

[^{F17}The modifications referred to in section 2 are as follows.]

Extent Information

E11 Following the repeal of this Act for E.W.S. by the Equality Act 2010, this provision now extends to N.I. only.

Textual Amendments

F17 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279, Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279, art. 16](#)); [S.I. 2010/2317, art. 2\(15\)\(f\)](#) (with arts. 4-25, Schs. 1-16); [S.I. 2011/1066, art. 2\(h\)](#)

Commencement Information

I8 [Sch. 2](#) wholly in force at 30.5.1996; [Sch. 2](#) not in force at Royal Assent see [s. 70\(3\)](#); [Sch. 2](#) in force (E.W.S.) at 17.5.1996 by [S.I. 1996/1336, art. 3\(m\)](#); [Sch. 2](#) in force (N.I.) at 30.5.1996 by [S.R. 1996/219, art. 3\(1\)](#)

2

[^{F18}References in Parts II [^{F19}, III and VA][^{F20} and Part III of the 2005 Order] to a disabled person are to be read as references to a person who has had a disability.]

Extent Information

E12 Following the repeal of this Act for E.W.S. by the Equality Act 2010, this provision now extends to N.I. only. Prior to that repeal, different versions of this provision had been created for N.I. and E.W.S. respectively to reflect the different amendment history for each jurisdiction. This version is based on the N.I. version as it stood at the date of the repeal. It does not reflect the history of E.W.S. effects prior to the 2010 repeal, which can be found in earlier versions.

Textual Amendments

F18 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279, Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279, art. 16](#)); [S.I. 2010/2317, art. 2\(15\)\(f\)](#) (with arts. 4-25, Schs. 1-16); [S.I. 2011/1066, art. 2\(h\)](#)

F19 Words in [Sch. 2 para. 2](#) substituted (N.I.) (31.10.2007) by [The Disability Discrimination \(Northern Ireland\) Order 2006 \(S.I. 2006/312 \(N.I. 1\)\)](#), arts. 1, 19, [Sch. 1 para. 28\(2\)](#); [S.R. 2007/430, art. 2\(b\)](#)

F20 Words in [Sch. 2 para. 2](#) inserted (N.I.) (1.9.2005 for certain purposes, otherwise 16.1.2007) by [The Special Educational Needs and Disability \(Northern Ireland\) Order \(S.I. 2005/1117 \(N.I. 6\)\)](#), arts. 1, {48(9)}; [S.R. 2005/336, art. 2, Sch.](#) (as amended (16.1.2007) by [S.R. 2007/25, art. 2](#)); [S.R. 2005/337, art. 2, Sch.](#)

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Commencement Information

I9 Sch. 2 wholly in force at 30.5.1996; Sch. 2 not in force at Royal Assent see s. 70(3); Sch. 2 in force (E.W.S.) at 17.5.1996 by S.I. 1996/1336, art. 3(m); Sch. 2 in force (N.I.) at 30.5.1996 by S.R. 1996/219, art. 3(1)

2A F21

2B F22

Textual Amendments

F22 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by Equality Act 2010 (c. 15), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by S.I. 2010/2279, Sch. 2) (with ss. 6(4), 205, and with amendments and savings in the said S.I. 2010/2279, art. 16); S.I. 2010/2317, art. 2(15)(f) (with arts. 4-25, Schs. 1-16); S.I. 2011/1066, art. 2(h)

[^{F23}2C ^{F24}

Textual Amendments

F23 Sch. 2 para. 2C inserted (E.W.S.) (3.7.2003 for certain purposes and otherwise 1.10.2004) by The Disability Discrimination Act 1995 (Amendment) Regulations 2003 (S.I. 2003/1673), regs. 1(2)(3), 29(1)(a)

F24 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by Equality Act 2010 (c. 15), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by S.I. 2010/2279, Sch. 2) (with ss. 6(4), 205, and with amendments and savings in the said S.I. 2010/2279, art. 16); S.I. 2010/2317, art. 2(15)(f) (with arts. 4-25, Schs. 1-16); S.I. 2011/1066, art. 2(h)

[^{F25}3 [^{F26}In sections 4A(1), 4B(4), 4E(1), 4H(1), 6B(1), 7B(1), 14(1), 14B(1), 14D(1) [^{F27}, 15C(1)] and 16A(4), section 21A(4)(a) (in the words to be read as section 19(1)(aa)) and section 21A(6)(a) (in the words to be substituted in section 21(1)), after “not disabled” (in each place it occurs) insert “ and who have not had a disability ”.]]

Extent Information

E14 Following the repeal of this Act for E.W.S. by the Equality Act 2010, this provision now extends to N.I. only. Prior to that repeal, different versions of this provision had been created for N.I. and E.W.S. respectively to reflect the different amendment history for each jurisdiction. This version is based on the N.I. version as it stood at the date of the repeal. It does not reflect the history of E.W.S. effects prior to the 2010 repeal, which can be found in earlier versions.

Textual Amendments

F25 Sch. 2 para. 3 substituted (N.I.) (21.2.2004 for certain purposes and 1.10.2004 insofar as not yet in force) by the Disability Discrimination Act (Amendment) Regulations (Northern Ireland) (S.R. 2004/55), {reg. 28(1)(b)}

F26 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by Equality Act 2010 (c. 15), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by S.I. 2010/2279, Sch. 2) (with ss. 6(4), 205, and with amendments and savings in the said S.I. 2010/2279, art. 16); S.I. 2010/2317, art. 2(15)(f) (with arts. 4-25, Schs. 1-16); S.I. 2011/1066, art. 2(h)

Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995. (See end of Document for details)

- F27** Words in Sch. 2 para. 3 inserted (N.I.) (31.10.2007) by [The Disability Discrimination \(Northern Ireland\) Order 2006 \(S.I. 2006/312 \(N.I. 1\)\)](#), arts. 1, 19, **Sch. 1 para. 28(3)**; S.R. 2007/430, **art. 2**

Commencement Information

- I10** Sch. 2 wholly in force at 30.5.1996; Sch. 2 not in force at Royal Assent see s. 70(3); Sch. 2 in force (E.W.S.) at 17.5.1996 by [S.I. 1996/1336, art. 3\(m\)](#); Sch. 2 in force (N.I.) at 30.5.1996 by [S.R. 1996/219, art. 3\(1\)](#)

- [^{F28}4 [^{F29}In sections 4A(3)(b), 4E(3)(b), 4H(3)(b), 6B(3)(b), 7B(3)(b), 14(3)(b), 14B(3)(b), 14D(3)(b) [^{F30}, 15C(3)(a)] and 16A(6), for “has” (in each place it occurs) substitute “ has had ”.]]

Extent Information

- E15** Following the repeal of this Act for E.W.S. by the Equality Act 2010, this provision now extends to N.I. only. Prior to that repeal, different versions of this provision had been created for N.I. and E.W.S. respectively to reflect the different amendment history for each jurisdiction. This version is based on the N.I. version as it stood at the date of the repeal. It does not reflect the history of E.W.S. effects prior to the 2010 repeal, which can be found in earlier versions.

Textual Amendments

- F28** Sch. 2 para. 4 substituted (N.I.) (21.2.2004 for certain purposes and otherwise 1.10.2004) by the [Disability Discrimination Act \(Amendment\) Regulations \(Northern Ireland\) 2004 \(S.R. 2004/55\)](#), regs. 1(2)(3), **28(1)(c)**
- F29** Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279, Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279, art. 16](#)); [S.I. 2010/2317, art. 2\(15\)\(f\)](#) (with arts. 4-25, Schs. 1-16); [S.I. 2011/1066, art. 2\(h\)](#)
- F30** Words in Sch. 2 para. 4 inserted (N.I.) (31.10.2007) by [The Disability Discrimination \(Northern Ireland\) Order 2006 \(S.I. 2006/312 \(N.I. 1\)\)](#), arts. 1, 19, **Sch. 1 para. 28(4)**; S.R. 2007/430, **art. 2(b)**

Commencement Information

- I11** Sch. 2 wholly in force at 30.5.1996; Sch. 2 not in force at Royal Assent see s. 70(3); Sch. 2 in force (E.W.S.) at 17.5.1996 by [S.I. 1996/1336, art. 3\(m\)](#); Sch. 2 in force (N.I.) at 30.5.1996 by [S.R. 1996/219, art. 3\(1\)](#)

- [^{F31}4ZA ^{F32}.....]

Textual Amendments

- F31** Sch. 2 para. 4ZA, 4ZB inserted (E.W.S.) (4.12.2006) by [Disability Discrimination Act 2005 \(c. 13\)](#), ss. 19(1), 20(3)-(6), **Sch. 1 para. 37(6)**; [S.I. 2005/2774, art. 4\(f\)](#)
- F32** Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279, Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279, art. 16](#)); [S.I. 2010/2317, art. 2\(15\)\(f\)](#) (with arts. 4-25, Schs. 1-16); [S.I. 2011/1066, art. 2\(h\)](#)

- 4ZB ^{F33}.....]

Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995. (See end of Document for details)

Textual Amendments

- F31** Sch. 2 para. 4ZA, 4ZB inserted (E.W.S.) (4.12.2006) by [Disability Discrimination Act 2005 \(c. 13\)](#), ss. 19(1), 20(3)–(6), [Sch. 1 para. 37\(6\)](#); S.I. 2005/2774, [art. 4\(f\)](#)
- F33** Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A–49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by S.I. 2010/2279, [Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said S.I. 2010/2279, [art. 16](#)); S.I. 2010/2317, [art. 2\(15\)\(f\)](#) (with arts. 4–25, Schs. 1–16); S.I. 2011/1066, [art. 2\(h\)](#)

[^{F34} 4A	F35]	
F36	4B	F37
[^{F38F39} 4C	F40]	

Textual Amendments

- F38** Sch. 2 para. 4C substituted (30.6.2006 for certain purposes and otherwise 1.9.2006) by [The Disability Discrimination Act 1995 \(Amendment\) \(Further and Higher Education\) Regulations 2006 \(S.I. 2006/1721\)](#), regs. 1, [18\(2\)](#)
- F39** Sch. 2 paras. 4A–4E inserted (E.W.S.) (1.9.2002) by [2001 c. 10, s. 38\(13\)](#) (with s. 43(13)); S.I. 2002/2217, art. 3, [Sch. 1 Pt. I](#)
- F40** Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A–49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by S.I. 2010/2279, [Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said S.I. 2010/2279, [art. 16](#)); S.I. 2010/2317, [art. 2\(15\)\(f\)](#) (with arts. 4–25, Schs. 1–16); S.I. 2011/1066, [art. 2\(h\)](#)

F41	4D	F42
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Textual Amendments

- F41** Sch. 2 paras. 4A–4E inserted (E.W.S.) (1.9.2002) by [2001 c. 10, s. 38\(13\)](#) (with s. 43(13)); S.I. 2002/2217, art. 3, [Sch. 1 Pt. I](#)
- F42** Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A–49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by S.I. 2010/2279, [Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said S.I. 2010/2279, [art. 16](#)); S.I. 2010/2317, [art. 2\(15\)\(f\)](#) (with arts. 4–25, Schs. 1–16); S.I. 2011/1066, [art. 2\(h\)](#)

F43	4E	F44
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Textual Amendments

- F43** Sch. 2 paras. 4A–4E inserted (E.W.S.) (1.9.2002) by [2001 c. 10, s. 39\(13\)](#) (with s. 43(13)); S.I. 2002/2217, art. 3, [Sch. 1 Pt. I](#)
- F44** Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A–49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by S.I. 2010/2279, [Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said S.I. 2010/2279, [art. 16](#)); S.I. 2010/2317, [art. 2\(15\)\(f\)](#) (with arts. 4–25, Schs. 1–16); S.I. 2011/1066, [art. 2\(h\)](#)

Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995. (See end of Document for details)

- “(1) The effect of an impairment is a long-term effect if it has lasted for at least 12 months.
- (2) Where an impairment ceases to have a substantial adverse effect on a person’s ability to carry out normal day-to-day activities, it is to be treated as continuing to have that effect if that effect recurs.
- (3) For the purposes of sub-paragraph (2), the recurrence of an effect shall be disregarded in prescribed circumstances.”]

Extent Information

E18 Following the repeal of this Act for E.W.S. by the Equality Act 2010, this provision now extends to N.I. only.

Textual Amendments

F45 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279](#), [Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279](#), [art. 16](#)); [S.I. 2010/2317](#), [art. 2\(15\)\(f\)](#) (with [arts. 4-25](#), [Schs. 1-16](#)); [S.I. 2011/1066](#), [art. 2\(h\)](#)

Commencement Information

I12 [Sch. 2](#) wholly in force at 30.5.1996; [Sch. 2](#) not in force at Royal Assent see [s. 70\(3\)](#); [Sch. 2](#) in force (E.W.S.) at 17.5.1996 by [S.I. 1996/1336](#), [art. 3\(m\)](#); [Sch. 2](#) in force (N.I.) at 30.5.1996 by [S.R. 1996/219](#), [art. 3\(1\)](#)

^{F46F47} References in Chapter I of Part III of the 2005 Order to a disabled pupil are to be read as references to a pupil who has had a disability.

Textual Amendments

F46 [Sch. 2 paras. 6-13](#) inserted (N.I.) (1.9.2005 for certain purposes, otherwise 16.1.2007) by The Special Educational Needs and Disability (Northern Ireland) Order ([S.I. 2005/1117 \(N.I. 6\)](#)), art. 1, {48(10)}; [S.R. 2005/336](#), [art. 2](#), [Sch.](#) (as amended 16.1.2007 by [S.R. 2007/25](#), [art. 2](#)); [S.R. 2005/337](#), [art. 2](#), [Sch.](#)

F47 [Sch. 2 para. 6](#) substituted without change of text (10.8.2006 for certain purposes and 1.9.2006 insofar as not yet in force) by virtue of [S.R. 2006/332](#), [regs. 1\(2\)\(3\)](#), [14](#)

^{F487} References in Chapter II of Part III of the 2005 Order to a disabled student are to be read as references to a student who has had a disability.

Textual Amendments

F46 [Sch. 2 paras. 6-13](#) inserted (N.I.) (1.9.2005 for certain purposes, otherwise 16.1.2007) by The Special Educational Needs and Disability (Northern Ireland) Order ([S.I. 2005/1117 \(N.I. 6\)](#)), art. 1, {48(10)}; [S.R. 2005/336](#), [art. 2](#), [Sch.](#) (as amended 16.1.2007 by [S.R. 2007/25](#), [art. 2](#)); [S.R. 2005/337](#), [art. 2](#), [Sch.](#)

F48 [Sch. 2 para. 7](#) substituted without change of text (10.8.2006 for certain purposes, otherwise 1.9.2006) by virtue of [S.R. 2006/332](#), [regs. 1\(2\)\(3\)](#), [14](#)

^{F498} In Article 15(3)(a) and (4) of the 2005 Order, after “disabled” insert “ or that he had had a disability ”.

Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995. (See end of Document for details)

Textual Amendments

- F46** Sch. 2 paras. 6-13 inserted (N.I.) (1.9.2005 for certain purposes, otherwise 16.1.2007) by The Special Educational Needs and Disability (Northern Ireland) Order (S.I. 2005/1117 (N.I. 6)), art. 1, {48(10)}; S.R. 2005/336, art. 2, Sch. (as amended 16.1.2007 by S.R. 2007/25, art. 2); S.R. 2005/337, art. 2, Sch.
- F49** Sch. 2 para. 8 substituted without change of text (10.8.2006 for certain purposes, otherwise 1.9.2006) by virtue of S.R. 2006/332, regs. 1(2)(3), 14

^{F50}9 In Article 16(1) of the 2005 Order, in sub-paragraphs (a) and (b), after “not disabled” insert “ and who have not had a disability ”.

Textual Amendments

- F46** Sch. 2 paras. 6-13 inserted (N.I.) (1.9.2005 for certain purposes, otherwise 16.1.2007) by The Special Educational Needs and Disability (Northern Ireland) Order (S.I. 2005/1117 (N.I. 6)), art. 1, {48(10)}; S.R. 2005/336, art. 2, Sch. (as amended 16.1.2007 by S.R. 2007/25, art. 2); S.R. 2005/337, art. 2, Sch.
- F50** Sch. 2 para. 9 substituted without change of text (10.8.2006 for certain purposes, otherwise 1.9.2006) by virtue of S.R. 2006/332, regs. 1(2)(3), 14

[^{F51}10 (1) In Article 29 of the 2005 Order in paragraph (3)(a), after “disabled” insert “ or that he had had a disability ”;

(2) in paragraph (6)(a) of that Article, after “who do not have” insert “ and have not had ”; and

(3) in paragraph (10) of that Article, for “that particular disability” substitute “ and who has not had that particular disability and ”.]

Textual Amendments

- F46** Sch. 2 paras. 6-13 inserted (N.I.) (1.9.2005 for certain purposes, otherwise 16.1.2007) by The Special Educational Needs and Disability (Northern Ireland) Order (S.I. 2005/1117 (N.I. 6)), art. 1, {48(10)}; S.R. 2005/336, art. 2, Sch. (as amended 16.1.2007 by S.R. 2007/25, art. 2); S.R. 2005/337, art. 2, Sch.
- F51** Sch. 2 para. 10 substituted (10.8.2006 for certain purposes, otherwise 1.9.2006) by virtue of S.R. 2006/332, regs. 1(2)(3), 14

[^{F52}11 In Articles 30(1)(c), (1A)(d), (1B)(c), (1C) and (1D) and 37(1)(d), 2(c) and (3) of the 2005 Order, after “not disabled” insert “ and who have not had a disability ”.]

Textual Amendments

- F46** Sch. 2 paras. 6-13 inserted (N.I.) (1.9.2005 for certain purposes, otherwise 16.1.2007) by The Special Educational Needs and Disability (Northern Ireland) Order (S.I. 2005/1117 (N.I. 6)), art. 1, {48(10)}; S.R. 2005/336, art. 2, Sch. (as amended 16.1.2007 by S.R. 2007/25, art. 2); S.R. 2005/337, art. 2, Sch.
- F52** Sch. 2 para. 11 substituted (10.8.2006 for certain purposes, otherwise 1.9.2006) by virtue of S.R. 2006/332, regs. 1(2)(3), 14

^{F53}12 In Article 35(8) of the 2005 Order after “not having that particular disability” insert “ and who has not had that particular disability ”.

Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995. (See end of Document for details)

Textual Amendments

- F46** Sch. 2 paras. 6-13 inserted (N.I.) (1.9.2005 for certain purposes, otherwise 16.1.2007) by The Special Educational Needs and Disability (Northern Ireland) Order (S.I. 2005/1117 (N.I. 6)), art. 1, {48(10)}; S.R. 2005/336, art. 2, Sch. (as amended 16.1.2007 by S.R. 2007/25, art. 2); S.R. 2005/337, art. 2, Sch.
- F53** Sch. 2 para. 12 substituted without change of text (10.8.2006 for certain purposes, otherwise 1.9.2006) by virtue of S.R. 2006/332, regs. 1(2)(3), 14

^{F54}13 In Article 37(4)(b) of the 2005 Order for “has” substitute “ has had ”.]

Textual Amendments

- F46** Sch. 2 paras. 6-13 inserted (N.I.) (1.9.2005 for certain purposes, otherwise 16.1.2007) by The Special Educational Needs and Disability (Northern Ireland) Order (S.I. 2005/1117 (N.I. 6)), art. 1, {48(10)}; S.R. 2005/336, art. 2, Sch. (as amended 16.1.2007 by S.R. 2007/25, art. 2); S.R. 2005/337, art. 2, Sch.
- F54** Sch. 2 para. 13 substituted without change of text (10.8.2006 for certain purposes, otherwise 1.9.2006) by virtue of S.R. 2006/332, regs. 1(2)(3), 14

SCHEDULE 3

SECTIONS [^{F55}17A(8)] AND 25(6)[^{F56}, 31ADA] ENFORCEMENT AND PROCEDURE

Extent Information

- E19** In its application to Northern Ireland, this Schedule has effect subject to the modifications set out in Sch. 8; see s. 70(6)

Textual Amendments

- F55** Sch. 3: word in side note substituted (E.W.S.) (3.7.2003 for certain purposes and otherwise 1.10.2004) by The Disability Discrimination Act 1995 (Amendment) Regulations 2003 (S.I. 2003/1673), regs. 1(2)(3), 29(2)(a) and same word substituted (N.I.) (21.2.2004 for certain purposes and otherwise 1.10.2004) by the Disability Discrimination Act (Amendment) Regulations (Northern Ireland) 2004 (S.R. 2004/55), regs. 1(2)(3), 28(2)(a)
- F56** Sch. 3: word in sidenote inserted (E.W.S.) (1.9.2007) by The Disability Discrimination Act 1995 (Amendment etc.) (General Qualifications Bodies) (Alteration of Premises and Enforcement) Regulations (S.I. 2007/2405), regs. 1(2), 4(2)

PART I

EMPLOYMENT

Conciliation

^{F57}1

Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995. (See end of Document for details)

Textual Amendments

- F57** Sch. 3 para. 1 repealed (E.W.S.)(22.8.1996) by 1996 c. 17, ss. 45, 46, **Sch. 3 Pt. I** (with s. 38) and (N.I.) (24.9.1996) by S.I. 1996/1921 (N.I.18), art. 28, **Sch. 3** (with Sch. 2)

Restriction on proceedings for breach of Part II

- ²**[^{F58}^{F59}(1)** Except as provided by Part 2, no civil or criminal proceedings may be brought against any person in respect of an act merely because the act is unlawful under that Part.]
- (2) Sub-paragraph (1) does not prevent the making of an application for judicial review ^{F60} or the investigation or determination of any matter in accordance with Part 10 (investigations) of the Pension Schemes Act 1993 ^{F61} by the Pensions Ombudsman”^{F62} or the investigation or determination of any matter in accordance with the Part X (investigations: the Pensions Ombudsman) of the Pension Schemes (Northern Ireland) Act 1993 ^{F63} by the Pensions Ombudsman].
- ^{F64}(3) Sub-paragraph (1) does not prevent the bringing of proceedings in respect of an offence under section 16B(2B).]]

Extent Information

- E20** Following the repeal of this Act for E.W.S. by the Equality Act 2010, this section now extends to Northern Ireland only.

Textual Amendments

- F58** Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by **Equality Act 2010 (c. 15)**, 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by S.I. 2010/2279, **Sch. 2**) (with ss. 6(4), 205, and with amendments and savings in the said S.I. 2010/2279, **art. 16**); S.I. 2010/2317, **art. 2(15)(f)** (with arts. 4-25, Schs. 1-16); S.I. 2011/1066, **art. 2(h)**
- F59** Sch. 3 para. 2(1) substituted (E.W.S.) (3.7.2003 for certain purposes and otherwise 1.10.2004) by **The Disability Discrimination Act 1995 (Amendment) Regulations 2003 (S.I. 2003/1673)**, regs. 1(2)(3), **29(2)(b)** and said words substituted (N.I.) (21.2.2004 for certain purposes and otherwise 1.10.2004) by **the Disability Discrimination Act (Amendment) Regulations (Northern Ireland) 2004 (S.R. 2004/55)**, regs. 1(2)(3), **28(2)(b)**
- F60** Words in Sch. 3 para. 2(2) inserted (E.W.S.) (1.12.2003 for certain purposes, otherwise 1.10.2004) by **The Disability Discrimination Act 1995 (Pensions) Regulations 2003 (S.I. 2003/2770)**, regs. 1(2)(3), **4(5)**
- F61** 1993 c. 48.
- F62** Words in Sch. 3 para. 2(2) added (N.I.) (21.2.2004 for certain purposes and otherwise 1.10.2004) by **the Disability Discrimination Act (Amendment) Regulations (Northern Ireland) 2004 (S.R. 2004/55)**, regs. 1(2)(3), **28(2)(c)**
- F63** 1993 c. 49; Part X was amended by Articles 152 to 156 of the **Pensions (Northern Ireland) Order 1995 (S.I. 1995/3213 (N.I. 22))**, **paragraph 70** of Schedule 5 to the **Bank of England Act 1998 (c. 11)** and sections 49 and 50 of, and Schedule 9 to, the **Child Support, Pensions and Social Security Act (Northern Ireland) 2000 (c. 4 (N.I.))**
- F64** Sch. 3 para. 2(3) inserted (E.W.S.) (5.12.2005) by **Disability Discrimination Act 2005 (c. 13)**, ss. 19(1), 20(3)-(6), **Sch. 1 para. 38(2)**; S.I. 2005/2774, **art. 3(j)** and said sub-paragraph inserted (N.I.) (9.11.2007) by **The Disability Discrimination (Northern Ireland) Order 2006 (S.I. 2006/312 (N.I. 1))**, arts. 1, 19, **Sch. 1 para. 29(2)**; S.R. 2007/466, **art. 2(2)(l)**

Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995. (See end of Document for details)

Period within which proceedings must be brought

- 3
- [^{F65}(1) An [^{F66}employment tribunal] shall not consider a complaint under [^{F67}section 17A or 25(8)] unless it is presented before the end of the period of three months beginning when the act complained of was done.
- [^{F68}(1A) Article 249B of the Employment Rights (Northern Ireland) Order 1996 (extension of time limits to facilitate conciliation before institution of proceedings) applies for the purposes of sub-paragraph (1)(a).
- (1B) Sub-paragraphs (1) and (1A) shall be treated as provisions of the Employment Rights (Northern Ireland) Order 1996 for the purposes of Article 249B of that Order.]
- (2) A tribunal may consider any such complaint which is out of time if, in all the circumstances of the case, it considers that it is just and equitable to do so.
- (3) For the purposes of sub-paragraph (1)—
- (a) where an unlawful act ^{F69} . . . is attributable to a term in a contract, that act is to be treated as extending throughout the duration of the contract;
 - (b) any act extending over a period shall be treated as done at the end of that period; and
 - (c) a deliberate omission shall be treated as done when the person in question decided upon it.
- (4) In the absence of evidence establishing the contrary, a person shall be taken for the purposes of this paragraph to decide upon an omission—
- (a) when he does an act inconsistent with doing the omitted act; or
 - (b) if he has done no such inconsistent act, when the period expires within which he might reasonably have been expected to do the omitted act if it was to be done.]

Extent Information

E21 Following the repeal of this Act for E.W.S. by the Equality Act 2010, this provision now extends to N.I. only.

Textual Amendments

- F65** Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279, Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279, art. 16](#)); [S.I. 2010/2317, art. 2\(15\)\(f\)](#) (with arts. 4-25, Schs. 1-16); [S.I. 2011/1066, art. 2\(h\)](#)
- F66** Words in Sch. 3 para. 3 substituted (1.8.1998) by [1998 c. 8, s. 1\(2\)](#) (with s. 16(2))
- F67** Words in Sch. 3 para. 3(1) substituted (E.W.S.) (3.7.2003 for certain purposes, otherwise 1.10.2004) by [The Disability Discrimination Act 1995 \(Amendment\) Regulations 2003 \(S.I. 2003/1673\)](#), regs. 1(2)(3), [29\(2\)\(c\)](#) and said words substituted (N.I.) (21.2.2004 for certain purposes, otherwise 1.10.2004) by the [Disability Discrimination Act \(Amendment\) Regulations \(Northern Ireland\) 2004 \(S.R. 2004/55\)](#), regs. 1(2)(3), [28\(2\)\(d\)](#)
- F68** Sch. 3 para. 3(1A)(1B) inserted (27.1.2020) by [Employment Act \(Northern Ireland\) 2016 \(c. 15\)](#), s. 29(2), [Sch. 2 para. 11](#); [S.R. 2020/1, art. 2\(n\)](#)
- F69** Words in Sch. 3 para. 3(3)(a) omitted (E.W.S.) (3.7.2003 for certain purposes, otherwise 1.10.2004) by virtue of [The Disability Discrimination Act 1995 \(Amendment\) Regulations 2003 \(S.I. 2003/1673\)](#), regs. 1(2)(3), [29\(2\)\(d\)](#) and said words omitted (N.I.) (21.2.2004 for certain purposes, otherwise 1.10.2004)

Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995. (See end of Document for details)

by virtue of the [Disability Discrimination Act \(Amendment\) Regulations \(Northern Ireland\) 2004 \(S.R. 2004/55\)](#), regs. 1(2)(3), **28(2)(e)**

Evidence

- 4
- [^{F70}(1) In any proceedings under [^{F71}section 17A or 25(8)], a certificate signed by or on behalf of a Minister of the Crown and certifying—
- (a) that any conditions or requirements specified in the certificate were imposed by a Minister of the Crown and were in operation at a time or throughout a time so specified, ^{F72} . . .
 - ^{F72}(b)
- shall be conclusive evidence of the matters certified.
- [^{F73}(1A) In any proceedings under section 17A or 25(8), a certificate signed by or on behalf of the Scottish Ministers and certifying that any conditions or requirements specified in the certificate—
- (a) were imposed by a member of the Scottish Executive, and
 - (b) were in operation at a time or throughout a time so specified,
- shall be conclusive evidence of the matters certified.
- (1B) In any proceedings under section 17A or 25(8), a certificate signed by or on behalf of the [^{F74}Welsh Ministers] and certifying that any conditions or requirements specified in the certificate—
- (a) were imposed by the [^{F75}National Assembly for Wales constituted by the Government of Wales Act 1998, the Welsh Ministers, the First Minister for Wales or the Counsel General to the Welsh Assembly Government], and
 - (b) were in operation at a time or throughout a time so specified,
- shall be conclusive evidence of the matters certified.]
- (2) A document purporting to be such a certificate [^{F76}as is mentioned in subparagraph (1), (1A) or (1B)] shall be received in evidence and, unless the contrary is proved, be deemed to be such a certificate.]

Extent Information

E22 Following the repeal of this Act for E.W.S. by the Equality Act 2010, this provision now extends to N.I. only and also has effect subject to the modifications for Northern Ireland set out in Sch. 8 para. 50(2); see s. 70(6)

Textual Amendments

- F70** Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279](#), **Sch. 2**) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279](#), **art. 16**); [S.I. 2010/2317](#), **art. 2(15)(f)** (with arts. 4-25, Schs. 1-16); [S.I. 2011/1066](#), **art. 2(h)**
- F71** Words in [Sch. 3 para. 4\(1\)](#) substituted (E.W.S.) (3.7.2003, otherwise 1.10.2004) by [The Disability Discrimination Act 1995 \(Amendment\) Regulations 2003 \(S.I. 2003/1673\)](#), regs. 1(2)(3), **29(2)(e)** and said words substituted (N.I.) (21.2.2004 for certain purposes and 1.10.2004 insofar as not yet in force) by the [Disability Discrimination Act \(Amendment\) Regulations \(Northern Ireland\) 2004 \(S.R. 2004/55\)](#), regs. 1(2)(3), **28(2)(f)**

Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995. (See end of Document for details)

- F72** Sch. 3 para. 4(1)(b) and preceding word repealed (16.7.2001) by 1999 c. 26, ss. 41, 44, Sch. 8 para. 7, **Sch. 9(12)**; S.I. 2001/1187, art. 3, **Sch.** (as amended by S.I. 2001/1461, **art. 2**)
- F73** Sch. 3 para. 4(1A)(1B) inserted (E.W.S.) (30.6.2005) by Disability Discrimination Act 2005 (c. 13), ss. 19(1), 20(3)-(6), **Sch. 1 para. 38(3)**; S.I. 2005/1676, **art. 2(1)(c)**
- F74** Words in Sch. 3 para. 4(1B) substituted by The Government of Wales Act 2006 (Consequential Modifications and Transitional Provisions) Order (S.I. 2007/1388), arts. 1, 3, {Sch. 1 para. 63(2)(a)}, the amending provision coming into force immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007) - see **s. 161(5)** of the Government of Wales Act 2006.
- F75** Words in Sch. 3 para. 4(1B)(a) substituted by The Government of Wales Act 2006 (Consequential Modifications and Transitional Provisions) Order (S.I. 2007/1388), arts. 1, 3, {Sch. 1 para. 63(2)(b)}, the amending provision coming into force immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007) - see **s. 161(5)** of the Government of Wales Act 2006.
- F76** Words in Sch. 3 para. 4(2) inserted (E.W.S.) (30.6.2005) by Disability Discrimination Act 2005 (c. 13), ss. 19(1), 20(3)-(6), **Sch. 1 para. 38(4)**; S.I. 2005/1676, **art. 2(1)(c)**

PART II

DISCRIMINATION IN OTHER AREAS

Restriction on proceedings for breach of Part III

- 5 [F77(1) Except as provided by section 25 no civil or criminal proceedings may be brought against any person in respect of an act merely because the act is unlawful under Part III.
- (2) Sub-paragraph (1) does not prevent the making of an application for judicial review.]

Extent Information

- E23** Following the repeal of this Act for E.W.S. by the Equality Act 2010, this provision now extends to N.I. only.

Textual Amendments

- F77** Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by **Equality Act 2010 (c. 15)**, 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by S.I. 2010/2279, **Sch. 2**) (with ss. 6(4), 205, and with amendments and savings in the said S.I. 2010/2279, **art. 16**); S.I. 2010/2317, **art. 2(15)(f)** (with arts. 4-25, Schs. 1-16); S.I. 2011/1066, **art. 2(h)**

Period within which proceedings must be brought

- 6 [F78(1) A county court or a sheriff court shall not consider a claim under section 25 unless proceedings in respect of the claim are instituted before the end of the period of six months beginning when the act complained of was done.
- [F79(2) Where, in relation to proceedings or prospective proceedings under section 25, the dispute concerned is referred for conciliation in pursuance of arrangements under section 27 of the Equality Act 2006 before the end of the period of six months

Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995. (See end of Document for details)

- mentioned in sub-paragraph (1), the period allowed by that sub-paragraph shall be extended by three months.]
- (3) A court may consider any claim under section 25 which is out of time if, in all the circumstances of the case, it considers that it is just and equitable to do so.
- (4) For the purposes of sub-paragraph (1)—
- (a) where an unlawful act of discrimination is attributable to a term in a contract, that act is to be treated as extending throughout the duration of the contract;
 - (b) any act extending over a period shall be treated as done at the end of that period; and
 - (c) a deliberate omission shall be treated as done when the person in question decided upon it.
- (5) In the absence of evidence establishing the contrary, a person shall be taken for the purposes of this paragraph to decide upon an omission—
- (a) when he does an act inconsistent with doing the omitted act; or
 - (b) if he has done no such inconsistent act, when the period expires within which he might reasonably have been expected to do the omitted act if it was to be done.]

Extent Information

E24 Following the repeal of this Act for E.W.S. by the Equality Act 2010, this provision now extends to Northern Ireland only and also has effect subject to the modification for Northern Ireland set out in Sch. 8 para. 50(3); see s. 70(6)

Textual Amendments

- F78** Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279](#), [Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279](#), [art. 16](#)); [S.I. 2010/2317](#), [art. 2\(15\)\(f\)](#) (with arts. 4-25, Schs. 1-16); [S.I. 2011/1066](#), [art. 2\(h\)](#)
- F79** [Sch. 3 para. 6\(2\)](#) substituted (E.W.S.) (1.10.2007) by [Equality Act 2006 \(c. 3\)](#), ss. 40, 93, [Sch. 3 para. 56\(1\)](#) (with s. 92); [S.I. 2007/2603](#), [art. 2](#) (subject to [art. 3](#))

[^{F80}Staying or sisting proceedings on section 21B claim affecting criminal matters] [^{F81}Staying proceedings on section 21B claim affecting criminal matters]

Textual Amendments

- F80** [Sch. 3 paras. 6A, 6B](#) and cross-headings inserted (E.W.S.) (4.12.2006) by [Disability Discrimination Act 2005 \(c. 13\)](#), ss. 19(1), 20(3)-(6), [Sch. 1 para. 38\(5\)](#); [S.I. 2005/2774](#), [art. 4](#)
- F81** [Sch. 3 paras. 6A, 6B](#) inserted (N.I.) (31.12.2007) by [The Disability Discrimination \(Northern Ireland\) Order 2006 \(S.I. 2006/312 \(N.I. 1\)\)](#), arts. 1, 19, [Sch. 1 para. 29\(3\)](#); [S.R. 2007/466](#), [art. 2\(2\)\(l\)](#)

[^{F80}6A ^{F82}

[^{F81}Restriction of remedies for section 21B claim relating to criminal matters]

[^{F80}6B ^{F83}

Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995. (See end of Document for details)

Compensation for injury to feelings

7

[^{F84}In any proceedings under section 25, the amount of any damages awarded as compensation for injury to feelings shall not exceed the prescribed amount.]

Extent Information

E27 Following the repeal of this Act for E.W.S. by the Equality Act 2010, this provision now extends to N.I. only.

Textual Amendments

F84 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279, Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279, art. 16](#)); [S.I. 2010/2317, art. 2\(15\)\(f\)](#) (with arts. 4-25, Schs. 1-16); [S.I. 2011/1066, art. 2\(h\)](#)

Evidence

8

[^{F85}(1) In any proceedings under section 25, a certificate signed by or on behalf of a Minister of the Crown and certifying—

- (a) that any conditions or requirements specified in the certificate were imposed by a Minister of the Crown and were in operation at a time or throughout a time so specified, or
- (b) that an act specified in the certificate was done for the purpose of safeguarding national security,

shall be conclusive evidence of the matters certified.

(2) A document purporting to be such a certificate shall be received in evidence and, unless the contrary is proved, be deemed to be such a certificate.

[^{F86}(3) In any proceedings under section 25, a certificate signed by or on behalf of the Scottish Ministers and certifying that any conditions or requirements specified in the certificate—

- (a) were imposed by a member of the Scottish Executive, and
- (b) were in operation at a time or throughout a time so specified,

shall be conclusive evidence of the matters certified.

(4) In any proceedings under section 25, a certificate signed by or on behalf of the [^{F87}Welsh Ministers] and certifying that any conditions or requirements specified in the certificate—

- (a) were imposed by the [^{F88}National Assembly for Wales constituted by the Government of Wales Act 1998, the Welsh Ministers, the First Minister for Wales or the Counsel General to the Welsh Assembly Government], and
- (b) were in operation at a time or throughout a time so specified,

shall be conclusive evidence of the matters certified.

(5) A document purporting to be such a certificate as is mentioned in sub-paragraph (3) or (4) shall be received in evidence and, unless the contrary is proved, be deemed to be such a certificate.]]

Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995. (See end of Document for details)

Extent Information

E28 Following the repeal of this Act for E.W.S. by the Equality Act 2010, this provision now extends to Northern Ireland only and also has effect subject to the modifications for Northern Ireland set out in Sch. 8 para. 50(4); see s. 70(6)

Textual Amendments

- F85** Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279](#), [Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279](#), [art. 16](#)); [S.I. 2010/2317](#), [art. 2\(15\)\(f\)](#) (with arts. 4-25, Schs. 1-16); [S.I. 2011/1066](#), [art. 2\(h\)](#)
- F86** [Sch. 3 para. 8\(3\)-\(5\)](#) inserted (E.W.S.) (30.6.2005) by [Disability Discrimination Act 2005 \(c. 13\)](#), ss. 19(1), 20(3)-(6), [Sch. 1 para. 38\(6\)](#); [S.I. 2005/1676](#), [art. 2\(1\)\(c\)](#)
- F87** Words in [Sch. 3 para. 8\(4\)](#) substituted by The Government of Wales Act 2006 (Consequential Modifications and Transitional Provisions) Order ([S.I. 2007/1388](#)), arts. 1, 3, {[Sch. 1 para. 63\(3\)\(a\)](#)}, the amending provision coming into force immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007) - see [s. 161\(5\)](#) of the Government of Wales Act 2006.
- F88** Words in [Sch. 3 para. 8\(4\)\(a\)](#) substituted by The Government of Wales Act 2006 (Consequential Modifications and Transitional Provisions) Order ([S.I. 2007/1388](#)), arts. 1, 3, {[Sch. 1 para. 63\(3\)\(b\)](#)}, the amending provision coming into force immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007) - see [s. 161\(5\)](#) of the Government of Wales Act 2006.

[^{F89}PART 3

DISCRIMINATION IN SCHOOLS

Textual Amendments

F89 [Sch. 3 Pt. 3](#) (paras. 9-11) inserted (E.W.S.) (1.9.2002) by [2001 c. 10](#), s. 19(2), [Sch. 3 para. 1](#) (with s. 43(13)); [S.I. 2002/2217](#), [art. 3](#), [Sch. 1 Pt. 1](#)

Restriction on proceedings for breach of Part 4, Chapter 1

F90 **F91**

Textual Amendments

- F90** [Sch. 3 Pt. 3](#) (paras. 9-11) inserted (E.W.S.) (1.9.2002) by [2001 c. 10](#), s. 19(2), [Sch. 3 para. 1](#) (with s. 43(13)); [S.I. 2002/2217](#), [art. 3](#), [Sch. 1 Pt. 1](#)
- F91** Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279](#), [Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279](#), [art. 16](#)); [S.I. 2010/2317](#), [art. 2\(15\)\(f\)](#) (with arts. 4-25, Schs. 1-16); [S.I. 2011/1066](#), [art. 2\(h\)](#)

Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995. (See end of Document for details)

Period within which proceedings must be brought

^{F92}10 ^{F93}

Textual Amendments

- F92** Sch. 3 Pt. 3 (paras. 9-11) inserted (E.W.S.) (1.9.2002) by 2001 c. 10, s. 19(2), **Sch. 3 para. 1** (with s. 43(13)); S.I. 2002/2217, art. 3, **Sch. 1 Pt. 1**
- F93** Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by **Equality Act 2010 (c. 15)**, 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by S.I. 2010/2279, **Sch. 2**) (with ss. 6(4), 205, and with amendments and savings in the said S.I. 2010/2279, **art. 16**); S.I. 2010/2317, **art. 2(15)(f)** (with arts. 4-25, Schs. 1-16); S.I. 2011/1066, **art. 2(h)**

Evidence

^{F94}11 ^{F95}]

Textual Amendments

- F94** Sch. 3 Pt. 3 (paras. 9-11) inserted (E.W.S.) (1.9.2002) by 2001 c. 10, s. 19(2), **Sch. 3 para. 1** (with s. 43(13)); S.I. 2002/2217, art. 3, **Sch. 1 Pt. 1**
- F95** Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by **Equality Act 2010 (c. 15)**, 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by S.I. 2010/2279, **Sch. 2**) (with ss. 6(4), 205, and with amendments and savings in the said S.I. 2010/2279, **art. 16**); S.I. 2010/2317, **art. 2(15)(f)** (with arts. 4-25, Schs. 1-16); S.I. 2011/1066, **art. 2(h)**

[^{F96}PART 4

DISCRIMINATION IN FURTHER AND HIGHER EDUCATION INSTITUTIONS]

Textual Amendments

- F96** Sch. 3 Pt. 4 (paras. 12-15) inserted (E.W.S.) (1.9.2002) by 2001 c. 10, s. 30(2), **Sch. 3 para. 2** (with s. 43(13)); S.I. 2002/2217, art. 3, **Sch. 1 Pt. 1**

Restriction on proceedings for breach of Part 4, Chapter 2

^{F97}12 ^{F98}

Textual Amendments

- F97** Sch. 3 Pt. 4 (paras. 12-15) inserted (E.W.S.) (1.9.2002) by 2001 c. 10, s. 30(2), (with s. 43(13)); S.I. 2002/2217, art. 3, **Sch. 1 Pt. 1**
- F98** Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by **Equality Act 2010 (c. 15)**, 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by S.I. 2010/2279, **Sch. 2**) (with ss. 6(4), 205, and with amendments and savings in the said S.I. 2010/2279, **art. 16**); S.I. 2010/2317, **art. 2(15)(f)** (with arts. 4-25, Schs. 1-16); S.I. 2011/1066, **art. 2(h)**

Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995. (See end of Document for details)

Period within which proceedings must be brought

F99 13 F100

Textual Amendments

F99 Sch. 3 Pt. 4 (paras. 12-15) inserted (E.W.S.) (1.9.2002) by 2001 c. 10, s. 30(2), (with s. 43(13)); S.I. 2002/2217, art. 3, Sch. 1 Pt. I

F100 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by Equality Act 2010 (c. 15), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by S.I. 2010/2279, Sch. 2) (with ss. 6(4), 205, and with amendments and savings in the said S.I. 2010/2279, art. 16); S.I. 2010/2317, art. 2(15)(f) (with arts. 4-25, Schs. 1-16); S.I. 2011/1066, art. 2(h)

Compensation for injury to feelings

F101 14 F102

Textual Amendments

F101 Sch. 3 Pt. 4 (paras. 12-15) inserted (E.W.S.) (1.9.2002) by 2001 c. 10, s. 30(2), (with s. 43(13)); S.I. 2002/2217, art. 3, Sch. 1 Pt. I

F102 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by Equality Act 2010 (c. 15), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by S.I. 2010/2279, Sch. 2) (with ss. 6(4), 205, and with amendments and savings in the said S.I. 2010/2279, art. 16); S.I. 2010/2317, art. 2(15)(f) (with arts. 4-25, Schs. 1-16); S.I. 2011/1066, art. 2(h)

Evidence

F103 15 F104

Textual Amendments

F103 Sch. 3 Pt. 4 (paras. 12-15) inserted (E.W.S.) (1.9.2002) by 2001 c. 10, s. 30(2), (with s. 43(13)); S.I. 2002/2217, art. 3, Sch. 1 Pt. I

F104 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by Equality Act 2010 (c. 15), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by S.I. 2010/2279, Sch. 2) (with ss. 6(4), 205, and with amendments and savings in the said S.I. 2010/2279, art. 16); S.I. 2010/2317, art. 2(15)(f) (with arts. 4-25, Schs. 1-16); S.I. 2011/1066, art. 2(h)

[^{F105}PART 5

DISCRIMINATION IN GENERAL QUALIFICATIONS BODIES

Textual Amendments

F105 Sch. 3 Pt. 5 (paras. 16-18 and cross-headings) inserted (E.W.S.) (1.9.2007) by The Disability Discrimination Act 1995 (Amendment etc.) (General Qualifications Bodies) (Alteration of Premises and Enforcement) Regulations (S.I. 2007/2405), regs. 1(2), 4(3) (with reg. 14)

Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995. (See end of Document for details)

Restriction on proceedings for breach of Part 4, Chapter 2A

16 F106

Textual Amendments

F106 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279, Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279, art. 16](#)); [S.I. 2010/2317, art. 2\(15\)\(f\)](#) (with arts. 4-25, Schs. 1-16); [S.I. 2011/1066, art. 2\(h\)](#)

Period within which proceedings must be brought

17 F107

Textual Amendments

F107 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279, Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279, art. 16](#)); [S.I. 2010/2317, art. 2\(15\)\(f\)](#) (with arts. 4-25, Schs. 1-16); [S.I. 2011/1066, art. 2\(h\)](#)

Evidence

18 F108 ]

Textual Amendments

F108 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279, Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279, art. 16](#)); [S.I. 2010/2317, art. 2\(15\)\(f\)](#) (with arts. 4-25, Schs. 1-16); [S.I. 2011/1066, art. 2\(h\)](#)

[^{F109}SCHEDULE 3A

Section 17C

VALIDITY OF CONTRACTS, COLLECTIVE
 AGREEMENTS AND RULES OF UNDERTAKINGS

Textual Amendments

F109 [Sch. 3A](#) inserted (N.I.) (21.2.2004 for certain purposes and 1.10.2004 insofar as not yet in force) by the Disability Discrimination Act (Amendment) Regulations (Northern Ireland) ([S.R. 2004/55](#)), reg. 16(2), {Sch.}

PART I

VALIDITY AND REVISION OF CONTRACTS

- 1 (1) A term of a contract is void where –
 - (a) the making of the contract is, by reason of the inclusion of the term, unlawful by virtue of this Part of this Act;
 - (b) it is included in furtherance of an act which is unlawful by virtue of this Part of this Act; or
 - (c) it provides for the doing of an act which is unlawful by virtue of this Part of this Act.
- (2) Sub-paragraph (1) does not apply to a term the inclusion of which constitutes, or is in furtherance of, or provides for, unlawful discrimination against, or harassment of, a party to the contract, but the term shall be unenforceable against that party.
- (3) A term in a contract which purports to exclude or limit any provision of this Part of this Act is unenforceable by any person in whose favour the term would operate apart from this paragraph.
- (4) Sub-paragraphs (1), (2) and (3) apply whether the contract was entered into before or after the date on which this Schedule comes into operation; but in the case of a contract made before that date, those sub-paragraphs do not apply in relation to any period before that date.
- 2 (1) Paragraph 1(3) does not apply –
 - (a) to a contract settling a complaint to which section 17A(1) or 25(8) applies where the contract is made with the assistance of the Agency; or
 - (b) to a contract settling a complaint to which section 17A(1) or 25(8) applies if the conditions regulating compromise contracts under this Schedule are satisfied in relation to the contract.
- (2) The conditions regulating compromise contracts under this Schedule are that –
 - (a) the contract must be in writing;
 - (b) the contract must relate to the particular complaint;
 - (c) the complainant must have received advice from a relevant independent adviser as to the terms and effect of the proposed contract and in particular its effect on his ability to pursue a complaint before an industrial tribunal;
 - (d) there must be in force, when the adviser gives the advice, a contract of insurance, or an indemnity provided for members of a profession or professional body, covering the risk of a claim by the complainant in respect of loss arising in consequence of the advice;
 - (e) the contract must identify the adviser; and
 - (f) the contract must state that the conditions regulating compromise contracts under this Schedule are satisfied.
- (3) A person is a relevant independent adviser for the purposes of sub-paragraph (2)(c) –
 - (a) if he is a qualified lawyer;
 - (b) if he is an officer, official, employee or member of an independent trade union who has been certified in writing by the trade union as competent to give advice and as authorised to do so on behalf of the trade union; ^{F110} . . .

Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995. (See end of Document for details)

- (c) if he works at an advice centre (whether as an employee or a volunteer) and has been certified in writing by the centre as competent to give advice and as authorised to do so on behalf of the centre.^{F111}; or
 - (d) if he is a person of a description specified in an order made by the Office.]
- (4) But a person is not a relevant independent adviser for the purposes of sub-paragraph (2)(c) in relation to the complainant –
- (a) if he is, is employed by or is acting in the matter for the other party or a person who is connected with the other party;
 - (b) in the case of a person within sub-paragraph (3)(b) or (c), if the trade union or advice centre is the other party or a person who is connected with the other party; or
 - (c) in the case of a person within sub-paragraph (3)(c), if the complainant makes a payment for the advice received from him.
- (5) In sub-paragraph (3)(a) “qualified lawyer” means a barrister (whether in practice as such or employed to give legal advice) or a solicitor who holds a practising certificate.
- (6) In sub-paragraph (3)(b) “independent trade union” has the same meaning as in the Industrial Relations (Northern Ireland) Order 1992^{F112}.
- (7) For the purposes of sub-paragraph (4)(a) any two persons are to be treated as connected –
- (a) if one is a company of which the other (directly or indirectly) has control; or
 - (b) if both are companies of which a third person (directly or indirectly) has control.
- (8) An agreement under which the parties agree to submit a dispute to arbitration –
- (a) shall be regarded for the purposes of sub-paragraph (1)(a) and (b) as being a contract settling a complaint if –
 - (i) the dispute is covered by a scheme having effect by virtue of an order under Article 84A of the Industrial Relations (Northern Ireland) Order 1992^{F113}, and
 - (ii) the agreement is to submit it to arbitration in accordance with the scheme; but
 - (b) shall be regarded as neither being nor including such a contract in any other case.

Textual Amendments

- F110** Word in Sch. 3A para. 2(3)(b) repealed (9.11.2007) by [The Disability Discrimination \(Northern Ireland\) Order 2006 \(S.I. 2006/312 \(N.I. 1\)\)](#), arts. 1, 19(2), **Sch. 2**; S.R. 2007/466, **art. 2(2)(n)**
- F111** Sch. 3A para. 2(3)(d) and preceding word inserted (3.7.2006) by [The Disability Discrimination \(Northern Ireland\) Order 2006 \(S.I. 2006/312 \(N.I. 1\)\)](#), arts. 1, 19, **Sch. 1 para. 30(2)**; S.R. 2006/289, **art. 2(1)(b)**
- F112** S.I. 1992/807 (N.I. 5)
- F113** Article 84A was inserted by Article 8 of the [Employment Rights \(Dispute Resolution\) \(Northern Ireland\) Order 1998 \(S.I. 1998/1265 \(N.I. 8\)\)](#)

- 3 (1) On the application of a disabled person interested in a contract to which paragraph 1(1) or (2) applies, a county court may make such order as it thinks fit for –
- (a) removing or modifying any term rendered void by paragraph 1(1), or
 - (b) removing or modifying any term made unenforceable by paragraph 1(2);

Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995. (See end of Document for details)

but such an order shall not be made unless all persons affected have been given notice in writing of the application (except where under county court rules notice may be dispensed with) and have been afforded an opportunity to make representations to the court.

- (2) An order under sub-paragraph (1) may include provision as respects any period before the making of the order (but after the coming into operation of this Schedule).

PART II

COLLECTIVE AGREEMENTS AND RULES OF UNDERTAKINGS

- 4 (1) This Part of this Schedule applies to –
- (a) any term of a collective agreement, including an agreement which was not intended, or is presumed not to have been intended, to be a legally enforceable contract;
 - (b) any rule made by an employer for application to all or any of the persons who are employed by him or who apply to be, or are, considered by him for employment;
 - (c) any rule made by a trade organisation (within the meaning of section 13) or a qualifications body (within the meaning of section 14A) for application to –
 - (i) all or any of its members or prospective members; or
 - (ii) all or any of the persons on whom it has conferred authorisations or qualifications or who are seeking the authorisations or qualifications which it has power to confer.
- (2) Any term or rule to which this Part of this Schedule applies is void where –
- (a) the making of the collective agreement is, by reason of the inclusion of the term, unlawful by virtue of this Part of this Act;
 - (b) the term or rule is included in furtherance of an act which is unlawful by virtue of this Part of this Act; or
 - (c) the term or rule provides for the doing of an act which is unlawful by virtue of this Part of this Act.
- (3) Sub-paragraph (2) applies whether the agreement was entered into, or the rule made, before or after the date on which this Schedule comes into operation; but in the case of an agreement entered into, or a rule made, before the date on which this Schedule comes into operation, that sub-paragraph does not apply in relation to any period before that date.
- 5 A disabled person to whom this paragraph applies may present a complaint to an industrial tribunal that a term or rule is void by virtue of paragraph 4 if he has reason to believe –
- (a) that the term or rule may at some future time have effect in relation to him; and
 - (b) where he alleges that it is void by virtue of paragraph 4(2)(c), that –
 - (i) an act for the doing of which it provides, may at some such time be done in relation to him, and
 - (ii) the act would be unlawful by virtue of this Part of this Act if done in relation to him in present circumstances.
- 6 In the case of a complaint about –

Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995. (See end of Document for details)

- (a) a term of a collective agreement made by or on behalf of –
- (i) an employer,
 - (ii) an organisation of employers of which an employer is a member, or
 - (iii) an association of such organisations of one of which an employer is a member, or
- (b) a rule made by an employer within the meaning of paragraph 4(1)(b), paragraph 5 applies to any disabled person who is, or is genuinely and actively seeking to become, one of his employees.
- 7 In the case of a complaint about a rule made by an organisation or body to which paragraph 4(1)(c) applies, paragraph 5 applies to any disabled person –
- (a) who is, or is genuinely and actively seeking to become, a member of the organisation or body;
 - (b) on whom the organisation or body has conferred an authorisation or qualification; or
 - (c) who is genuinely and actively seeking an authorisation or qualification which the organisation or body has power to confer.
- 8 (1) When an industrial tribunal finds that a complaint presented to it under paragraph 5 is well-founded the tribunal shall make an order declaring that the term or rule is void.
- (2) An order under sub-paragraph (1) may include provision as respects any period before the making of the order (but after the coming into operation of this Schedule).
- 9 The avoidance by virtue of paragraph 4(2) of any term or rule which provides for any person to be discriminated against shall be without prejudice to the following rights (except in so far as they enable any person to require another person to be treated less favourably than himself), namely –
- (a) such of the rights of the person to be discriminated against, and
 - (b) such of the rights of any person who will be treated more favourably in direct or indirect consequence of the discrimination,
- as are conferred by or in respect of a contract made or modified wholly or partly in pursuance of, or by reference to, that term or rule.

PART III

INTERPRETATION

- 10 In this Schedule “collective agreement” means any agreement relating to one or more of the matters mentioned in Article 96(1) of the Industrial Relations (Northern Ireland) Order 1992 (meaning of trade dispute), being an agreement made by or on behalf of one or more employers or one or more organisations of employers or associations of such organisations with one or more organisations of workers or associations of such organisations.
- [^{F114}11 Any reference in this Schedule to this Part of this Act shall be taken to include a reference to Part III of this Act, to the extent that it relates to—
- (a) the provision of employment services; or
 - (b) the provision under a group insurance arrangement of facilities by way of insurance.]

Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995. (See end of Document for details)

Textual Amendments

F114 Sch. 3A paras. 11, 12 substituted (31.12.2007) for Sch. 3A para. 11 by [The Disability Discrimination \(Northern Ireland\) Order 2006 \(S.I. 2006/312 \(N.I. 1\)\)](#), arts. 1, 19, [Sch. 1 para. 30\(3\)](#); S.R. 2007/466, [art. 2\(2\)\(m\)](#)

Modifications etc. (not altering text)

C2 [Sch. 3A](#) extends to Northern Ireland only; a separate Sch.3A for England, Wales and Scotland only repealed (1.10.2010).

[^{F115}12 Where a term to which section 26(1A)(c) applies is a term in an agreement which is not a contract, Part I of this Schedule shall have effect as if the agreement were a contract.]]

Textual Amendments

F115 Sch. 3A paras. 11, 12 substituted (31.12.2007) for Sch. 3A para. 11 by [The Disability Discrimination \(Northern Ireland\) Order 2006 \(S.I. 2006/312 \(N.I. 1\)\)](#), arts. 1, 19, [Sch. 1 para. 30\(3\)](#); S.R. 2007/466, [art. 2\(2\)\(m\)](#)

[^{F116}SCHEDULE 3A

Section 17C

VALIDITY OF CONTRACTS, COLLECTIVE AGREEMENTS AND RULES OF UNDERTAKINGS

Textual Amendments

F116 [Sch. 3A](#) inserted (E.W.S.) (3.7.2003 for certain purposes and otherwise 1.10.2004) by [The Disability Discrimination Act 1995 \(Amendment\) Regulations 2003 \(S.I. 2003/1673\)](#), regs. 1(2)(3), 16(2), [Sch.](#)

PART 1

VALIDITY AND REVISION OF CONTRACTS

1 ^{F117}

Extent Information

E29 This provision extended to England, Wales and Scotland only; a separate Sch. 3A exists for Northern Ireland only.

Textual Amendments

F117 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279](#), [Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279](#), [art. 16](#)); [S.I. 2010/2317](#), [art. 2\(15\)\(f\)](#) (with arts. 4-25, Schs. 1-16); [S.I. 2011/1066](#), [art. 2\(h\)](#)

Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995. (See end of Document for details)

2 F118

Extent Information

E30 This provision extended to England, Wales and Scotland only; a separate Sch. 3A exists for Northern Ireland only.

Textual Amendments

F118 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279, Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279, art. 16](#)); [S.I. 2010/2317, art. 2\(15\)\(f\)](#) (with arts. 4-25, Schs. 1-16); [S.I. 2011/1066, art. 2\(h\)](#)

3 F119

Extent Information

E31 This provision extended to England, Wales and Scotland only; a separate Sch. 3A exists for Northern Ireland only.

Textual Amendments

F119 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279, Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279, art. 16](#)); [S.I. 2010/2317, art. 2\(15\)\(f\)](#) (with arts. 4-25, Schs. 1-16); [S.I. 2011/1066, art. 2\(h\)](#)

PART 2

COLLECTIVE AGREEMENTS AND RULES OF UNDERTAKINGS

4 F120

Extent Information

E32 This provision extended to England, Wales and Scotland only; a separate Sch. 3A exists for Northern Ireland only.

Textual Amendments

F120 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279, Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279, art. 16](#)); [S.I. 2010/2317, art. 2\(15\)\(f\)](#) (with arts. 4-25, Schs. 1-16); [S.I. 2011/1066, art. 2\(h\)](#)

5 F121

Extent Information

E33 This provision extended to England, Wales and Scotland only; a separate Sch. 3A exists for Northern Ireland only.

Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995. (See end of Document for details)

Textual Amendments

F121 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279, Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279, art. 16](#)); [S.I. 2010/2317, art. 2\(15\)\(f\)](#) (with arts. 4-25, Schs. 1-16); [S.I. 2011/1066, art. 2\(h\)](#)

6 **F122**

Extent Information

E34 This provision extended to England, Wales and Scotland only; a separate Sch. 3A exists for Northern Ireland only.

Textual Amendments

F122 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279, Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279, art. 16](#)); [S.I. 2010/2317, art. 2\(15\)\(f\)](#) (with arts. 4-25, Schs. 1-16); [S.I. 2011/1066, art. 2\(h\)](#)

7 **F123**

Extent Information

E35 This provision extended to England, Wales and Scotland only; a separate Sch. 3A exists for Northern Ireland only.

Textual Amendments

F123 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279, Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279, art. 16](#)); [S.I. 2010/2317, art. 2\(15\)\(f\)](#) (with arts. 4-25, Schs. 1-16); [S.I. 2011/1066, art. 2\(h\)](#)

8 **F124**

Extent Information

E36 This provision extended to England, Wales and Scotland only; a separate Sch. 3A exists for Northern Ireland only.

Textual Amendments

F124 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279, Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279, art. 16](#)); [S.I. 2010/2317, art. 2\(15\)\(f\)](#) (with arts. 4-25, Schs. 1-16); [S.I. 2011/1066, art. 2\(h\)](#)

9 **F125**

Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995. (See end of Document for details)

Extent Information

E37 This provision extended to England, Wales and Scotland only; a separate Sch. 3A exists for Northern Ireland only.

Textual Amendments

F125 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279](#), [Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279](#), [art. 16](#)); [S.I. 2010/2317](#), [art. 2\(15\)\(f\)](#) (with [arts. 4-25](#), [Schs. 1-16](#)); [S.I. 2011/1066](#), [art. 2\(h\)](#)

PART 3

INTERPRETATION

10 **F126**

Extent Information

E38 This provision extended to England, Wales and Scotland only; a separate Sch. 3A exists for Northern Ireland only.

Textual Amendments

F126 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279](#), [Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279](#), [art. 16](#)); [S.I. 2010/2317](#), [art. 2\(15\)\(f\)](#) (with [arts. 4-25](#), [Schs. 1-16](#)); [S.I. 2011/1066](#), [art. 2\(h\)](#)

11 **F127**

Extent Information

E39 This provision extended to England, Wales and Scotland only; a separate Sch. 3A exists for Northern Ireland only.

Textual Amendments

F127 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279](#), [Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279](#), [art. 16](#)); [S.I. 2010/2317](#), [art. 2\(15\)\(f\)](#) (with [arts. 4-25](#), [Schs. 1-16](#)); [S.I. 2011/1066](#), [art. 2\(h\)](#)

12 **F128**]

Extent Information

E40 This provision extended to England, Wales and Scotland only; a separate Sch. 3A exists for Northern Ireland only.

Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995. (See end of Document for details)

Textual Amendments

F128 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279](#), [Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279](#), [art. 16](#)); [S.I. 2010/2317](#), [art. 2\(15\)\(f\)](#) (with arts. 4-25, Schs. 1-16); [S.I. 2011/1066](#), [art. 2\(h\)](#)

SCHEDULE 4

Sections ^[F129]18A(5) and 27(5)
^[F130]31ADB].

PREMISES OCCUPIED UNDER LEASES

Extent Information

E41 In its application to Northern Ireland, this Schedule has effect subject to the modifications set out in Sch. 8; see [s. 70\(6\)](#)

Textual Amendments

F129 [Sch. 4](#) : word in side note substituted (E.W.S.) (3.7.2003 for certain purposes, otherwise 1.10.2004) by [The Disability Discrimination Act 1995 \(Amendment\) Regulations 2003 \(S.I. 2003/1673\)](#), [regs. 1\(2\)\(3\)](#), [29\(3\)\(a\)](#) and said words substituted (N.I.) (21.2.2004 for certain purposes, otherwise 1.10.2004) by the [Disability Discrimination Act \(Amendment\) Regulations \(Northern Ireland\) 2004 \(S.R. 2004/55\)](#), [regs. 1\(2\)\(3\)](#), [28\(3\)\(a\)](#)

F130 [Sch. 4](#): words in shoulder note inserted (E.W.S.) (1.9.2007) by [The Disability Discrimination Act 1995 \(Amendment etc.\) \(General Qualifications Bodies\) \(Alteration of Premises and Enforcement\) Regulations \(S.I. 2007/2405\)](#), [regs. 1\(2\)](#), {6(2)}

PART I

OCCUPATION BY ^[F131]EMPLOYER ETC]

Textual Amendments

F131 [Sch. 4 Pt. 1](#): words in heading substituted (E.W.S.) (3.7.2003 for certain purposes, otherwise 1.10.2004) by [The Disability Discrimination Act 1995 \(Amendment\) Regulations 2003 \(S.I. 2003/1673\)](#), [regs. 1\(2\)\(3\)](#), [29\(3\)\(b\)](#) and said words substituted (N.I.) (21.2.2004 for certain purposes, otherwise 1.10.2004) by the [Disability Discrimination Act \(Amendment\) Regulations \(Northern Ireland\) 2004 \(S.R. 2004/55\)](#), [regs. 1\(2\)\(3\)](#), [28\(3\)\(b\)](#)

Modifications etc. (not altering text)

C3 [Pt. 1](#) modified (E.W.S.) (1.10.2004) by [The Disability Discrimination \(Employment Field\) \(Leasehold Premises\) Regulations 2004 \(S.I. 2004/153\)](#), [regs. 4-9](#) and said [Part 1](#) modified (N.I.) (1.10.2004) by the [Disability Discrimination \(Employment Field\) \(Leasehold Premises\) Regulations \(Northern Ireland\) 2004 \(S.R. 2004/374\)](#), [regs. 4-9](#)

Failure to obtain consent to alteration

Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995. (See end of Document for details)

[^{F132}If any question arises as to whether the occupier has failed to comply with [^{F133}any duty to make reasonable adjustments], by failing to make a particular alteration to the premises, any constraint attributable to the fact that he occupies the premises under a lease is to be ignored unless he has applied to the lessor in writing for consent to the making of the alteration.]

Extent Information

E42 Following the repeal of this Act for E.W.S. by the Equality Act 2010, this provision now extends to N.I. only.

Textual Amendments

F132 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279, Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279, art. 16](#)); [S.I. 2010/2317, art. 2\(15\)\(f\)](#) (with arts. 4-25, Schs. 1-16); [S.I. 2011/1066, art. 2\(h\)](#)

F133 Words in [Sch. 4 para.1](#) substituted (E.W.S.) (3.7.2003 for certain purposes, otherwise 1.10.2004) by [The Disability Discrimination Act 1995 \(Amendment\) Regulations 2003 \(S.I. 2003/1673\)](#), regs. 1(2)(3), [29\(3\)\(c\)](#) and said words substituted (N.I.) (21.2.2004 for certain purposes, otherwise 1.10.2004) by the [Disability Discrimination Act \(Amendment\) Regulations \(Northern Ireland\) 2004 \(S.R. 2004/55\)](#), regs. 1(2)(3), [28\(3\)\(c\)](#)

Modifications etc. (not altering text)

C4 [Sch. 4 para. 1](#) modified (7.6.1996) by [S.I. 1996/1333, art. 4\(a\)](#)

Joining lessors in proceedings under [^{F134}section 17A^{F135}. . .]

Textual Amendments

F134 [Sch. 4](#): words in cross-heading preceding para. 2 substituted (E.W.S.) (3.7.2003 for certain purposes, otherwise 1.10.2004) by [The Disability Discrimination Act 1995 \(Amendment\) Regulations 2003 \(S.I. 2003/1673\)](#), regs. 1(2)(3), [29\(3\)\(d\)](#) and same words substituted (N.I.) (21.2.2004 for certain purposes, otherwise 1.10.2004) by the [Disability Discrimination Act \(Amendment\) Regulations \(Northern Ireland\) 2004 \(S.R. 2004/55\)](#), regs. 1(2)(3), [28\(3\)\(d\)](#)

F135 [Sch. 4 para. 2](#): words in heading omitted (E.W.S.) (5.12.2005) by virtue of [Disability Discrimination Act 2005 \(c. 13\)](#), ss. 19(1), 20(3)-(6), [Sch. 1 para. 40\(2\)\(a\)](#); [S.I. 2005/2774, art. 3\(j\)](#) and same words omitted (N.I.) (31.12.2007) by virtue of [The Disability Discrimination \(Northern Ireland\) Order 2006 \(S.I. 2006/312 \(N.I. 1\)\)](#), arts. 1, 19, [Sch. 1 para. 31\(2\)\(a\)](#); [S.R. 2007/466, art. 2\(2\)\(l\)](#)

2

[^{F136}(1) In any proceedings [^{F137}on a complaint under section 17A], in a case to which [^{F138}section 18A] applies, the complainant or the occupier may ask the tribunal hearing the complaint to direct that the lessor be joined or sisted as a party to the proceedings.

(2) The request shall be granted if it is made before the hearing of the complaint begins.

(3) The tribunal may refuse the request if it is made after the hearing of the complaint begins.

Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995. (See end of Document for details)

- (4) The request may not be granted if it is made after the tribunal has determined the complaint.
- (5) Where a lessor has been so joined or sisted as a party to the proceedings, the tribunal may determine—
 - (a) whether the lessor has—
 - (i) refused consent to the alteration, or
 - (ii) consented subject to one or more conditions, and
 - (b) if so, whether the refusal or any of the conditions was unreasonable,
- (6) If, under sub-paragraph (5), the tribunal determines that the refusal or any of the conditions was unreasonable it may take one or more of the following steps—
 - (a) make such declaration as it considers appropriate;
 - (b) make an order authorising the occupier to make the alteration specified in the order;
 - (c) order the lessor to pay compensation to the complainant.
- (7) An order under sub-paragraph (6)(b) may require the occupier to comply with conditions specified in the order.
- (8) Any step taken by the tribunal under sub-paragraph (6) may be in substitution for, or in addition to, any step taken by the tribunal under [F139 section 17A(2)].
- (9) If the tribunal orders the lessor to pay compensation it may not make an order under [F139 section 17A(2)] ordering the occupier to do so.]

Extent Information

E43 Following the repeal of this Act for E.W.S. by the Equality Act 2010, this provision now extends to N.I. only and also has effect subject to the modifications for Northern Ireland set out in Sch. 8 para. 51(1); see s. 70(6)

Textual Amendments

F136 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279](#), [Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279](#), [art. 16](#)); [S.I. 2010/2317](#), [art. 2\(15\)\(f\)](#) (with arts. 4-25, Schs. 1-16); [S.I. 2011/1066](#), [art. 2\(h\)](#)

F137 Words in Sch. 4 para. 2(1) substituted (E.W.S.) (5.12.2005) by [Disability Discrimination Act 2005 \(c. 13\)](#), ss. 19(1), 20(3)-(6), [Sch. 1 para. 40\(2\)\(b\)](#); [S.I. 2005/2774](#), [art. 3\(j\)](#) and said words substituted (N.I.) (31.12.2007) by [The Disability Discrimination \(Northern Ireland\) Order 2006 \(S.I. 2006/312 \(N.I. 1\)\)](#), arts. 1, 19, [Sch. 1 para. 31\(2\)\(b\)](#); [S.R. 2007/466](#), [art. 2\(2\)\(l\)](#)

F138 Words in Sch. 4 para. 2(1) substituted (E.W.S.) (3.7.2003 for certain purposes, otherwise 1.10.2004) by [The Disability Discrimination Act 1995 \(Amendment\) Regulations 2003 \(S.I. 2003/1673\)](#), regs. 1(2)(3), [29\(3\)\(e\)\(ii\)](#) and said words substituted (N.I.) (21.2.2004 for certain purposes, otherwise 1.10.2004) by the [Disability Discrimination Act \(Amendment\) Regulations \(Northern Ireland\) 2004 \(S.R. 2004/55\)](#), regs. 1(2)(3), [28\(3\)\(e\)\(ii\)](#)

F139 Words in Sch. 4 paras. 2(8)(9) substituted (E.W.S.) (3.7.2003 for certain purposes, otherwise 1.10.2004) by [The Disability Discrimination Act 1995 \(Amendment\) Regulations 2003 \(S.I. 2003/1673\)](#), regs. 1(2)(3), [29\(3\)\(f\)](#) and said words substituted (N.I.) (21.2.2004 for certain purposes, otherwise 1.10.2004) by the [Disability Discrimination Act \(Amendment\) Regulations \(Northern Ireland\) 2004 \(S.R. 2004/55\)](#), regs. 1(2)(3), [28\(3\)\(f\)](#)

Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995. (See end of Document for details)

Modifications etc. (not altering text)

C5 Sch. 4 para. 2 modified (7.6.1996) by S.I. 1996/1333, art. 4(c)

Regulations

3

[^{F140}Regulations may make provision as to circumstances in which—

- (a) a lessor is to be taken, for the purposes of [^{F141}section 18A] and this Part of this Schedule to have—
 - (i) withheld his consent;
 - (ii) withheld his consent unreasonably;
 - (iii) acted reasonably in withholding his consent;
- (b) a condition subject to which a lessor has given his consent is to be taken to be reasonable;
- (c) a condition subject to which a lessor has given his consent is to be taken to be unreasonable.]

Extent Information

E44 Following the repeal of this Act for E.W.S. by the Equality Act 2010, this provision now extends to N.I. only.

Textual Amendments

F140 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279, Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279, art. 16](#)); [S.I. 2010/2317, art. 2\(15\)\(f\)](#) (with arts. 4-25, Schs. 1-16); [S.I. 2011/1066, art. 2\(h\)](#)

F141 Words in [Sch. 4 para. 3](#) substituted (E.W.S.) (3.7.2003 for certain purposes, otherwise 1.10.2004) by [The Disability Discrimination Act 1995 \(Amendment\) Regulations 2003 \(S.I. 2003/1673\)](#), regs. 1(2)(3), [29\(3\)\(g\)](#) and said words substituted (N.I.) (21.2.2004 for certain purposes, otherwise 1.10.2004) by the [Disability Discrimination Act \(Amendment\) Regulations \(Northern Ireland\) 2004 \(S.R. 2004/55\)](#), regs. 1(2)(3), [28\(3\)\(g\)](#)

Modifications etc. (not altering text)

C6 Sch. 4 para. 3 modified (7.6.1996) by S.I. 1996/1333, art. 4(c)

Commencement Information

I13 [Sch. 4 para. 3](#) wholly in force at 11.7.1996; [Sch. 4 para. 3](#) not in force at Royal Assent see [s. 70\(3\)](#); [Sch. 4 Pt. I para. 3](#) in force (E.W.S.) at 6.6.1996 by [S.I. 1996/1474, art. 2\(1\), Sch. Pt. I](#); [Sch. 4 Pt. I para. 3](#) in force (N.I.) at 11.7.1996 by [S.R. 1996/280, art. 2\(1\), Sch. Pt. I para. 3](#)

Sub-leases etc.

4

[^{F142}The Secretary of State may by regulations make provision supplementing, or modifying, the provision made by [^{F143}section 18A] or any provision made by or under this Part of this Schedule in relation to cases where the occupier occupies premises under a sub-lease or sub-tenancy.]

Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995. (See end of Document for details)

Extent Information

- E45** Following the repeal of this Act for E.W.S. by the Equality Act 2010, this provision now extends to N.I. only and also has effect subject to the modifications for Northern Ireland set out in Sch. 8 para. 51(2); see s. 70(6).

Textual Amendments

- F142** Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279](#), [Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279](#), [art. 16](#)); [S.I. 2010/2317](#), [art. 2\(15\)\(f\)](#) (with arts. 4-25, Schs. 1-16); [S.I. 2011/1066](#), [art. 2\(h\)](#)
- F143** Words in [Sch. 4 para. 4](#) substituted (E.W.S.) (3.7.2003 for certain purposes, otherwise 1.10.2004) by [The Disability Discrimination Act 1995 \(Amendment\) Regulations 2003 \(S.I. 2003/1673\)](#), regs. 1(2)(3), [29\(3\)\(g\)](#) and said words substituted (N.I.) (21.2.2004 for certain purposes, otherwise 1.10.2004) by the [Disability Discrimination Act \(Amendment\) Regulations \(Northern Ireland\) 2004 \(S.R. 2004/55\)](#), regs. 1(2)(3), [28\(3\)\(g\)](#)

Commencement Information

- I14** [Sch. 4 para. 4](#) wholly in force at 30.5.1996; [Sch. 4 para. 4](#) not in force at Royal Assent see [s. 70\(3\)](#); [Sch. 4 para. 4](#) in force (E.W.S.) at 17.5.1996 by [S.I. 1996/1336](#), [art. 3\(o\)](#); [Sch. 4 para. 4](#) in force (N.I.) at 30.5.1996 by [S.R. 1996/219](#), [art. 3\(n\)](#)

PART II

OCCUPATION BY ^{F144}PERSONS SUBJECT TO A DUTY UNDER SECTION 21, 21E OR 21H]

Textual Amendments

- F144** [Sch. 4 Pt. 2](#): words in heading substituted (E.W.S.) (4.12.2006) by [Disability Discrimination Act 2005 \(c. 13\)](#), ss. 19(1), 20(3)-(6), [Sch. 1 para. 40\(3\)](#); [S.I. 2005/2774](#), [art. 4\(f\)](#) and said words substituted (N.I.) (31.12.2007) by [The Disability Discrimination \(Northern Ireland\) Order 2006 \(S.I. 2006/312 \(N.I. 1\)\)](#), arts. 1, 19, [Sch. 1 para. 31\(3\)](#); [S.R. 2007/466](#), [art. 2\(i\)](#)

Modifications etc. (not altering text)

- C7** [Sch. 4 Pt. II](#) modified (1.10.2004) by [S.I. 2001/3253](#), [reg. 9](#)
- C8** [Sch. 4 Pt. II](#) modified (N.I.) (1.10.2004) by [The Disability Discrimination \(Providers of Services\) \(Adjustment of Premises\) Regulations \(Northern Ireland\) 2003 \(S.R. 2003/109\)](#), [reg. 9](#)

Failure to obtain consent to alteration

5

^{F145}If any question arises as to whether the occupier has failed to comply with the section 21 duty ^{F146}or the duty imposed under section 21E or 21H], by failing to make a particular alteration to premises, any constraint attributable to the fact that he occupies the premises under a lease is to be ignored unless he has applied to the lessor in writing for consent to the making of the alteration.]

Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995. (See end of Document for details)

Extent Information

E46 Following the repeal of this Act for E.W.S. by the Equality Act 2010, this provision now extends to N.I. only. Prior to that repeal, different versions of this provision had been created for N.I. and E.W.S. respectively to reflect the different amendment history for each jurisdiction. This version is based on the N.I. version as it stood at the date of the repeal. It does not reflect the history of E.W.S. effects prior to the 2010 repeal, which can be found in earlier versions.

Textual Amendments

- F145** Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279](#), [Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279](#), [art. 16](#)); [S.I. 2010/2317](#), [art. 2\(15\)\(f\)](#) (with [arts. 4-25](#), [Schs. 1-16](#)); [S.I. 2011/1066](#), [art. 2\(h\)](#)
- F146** Words in [Sch. 4 para. 5](#) inserted (N.I.) (31.12.2007) by [The Disability Discrimination \(Northern Ireland\) Order 2006 \(S.I. 2006/312 \(N.I. 1\)\)](#), [arts. 1, 19](#), [Sch. 1 para. 31\(4\)](#); [S.R. 2007/466](#), [art. 2\(2\)\(l\)](#)

Reference to court

- ⁶ [F147(1) If the occupier has applied in writing to the lessor for consent to the alteration and—
- (a) that consent has been refused, or
 - (b) the lessor has made his consent subject to one or more conditions,
- the occupier or a disabled person who has an interest in the proposed alteration to the premises being made, may refer the matter to a county court or, in Scotland, to the sheriff.
- (2) In the following provisions of this Schedule “court” includes “sheriff”.
 - (3) On such a reference the court shall determine whether the lessor’s refusal was unreasonable or (as the case may be) whether the condition is, or any of the conditions are, unreasonable.
 - (4) If the court determines—
 - (a) that the lessor’s refusal was unreasonable, or
 - (b) that the condition is, or any of the conditions are, unreasonable,
 it may make such declaration as it considers appropriate or an order authorising the occupier to make the alteration specified in the order.
 - (5) An order under sub-paragraph (4) may require the occupier to comply with conditions specified in the order.]

Extent Information

E47 Following the repeal of this Act for E.W.S. by the Equality Act 2010, this provision now extends to N.I. only and also has effect subject to the modifications for Northern Ireland set out in [Sch. 8 para. 51\(3\)\(4\)](#); see [s. 70\(6\)](#)

Textual Amendments

F147 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I.](#)

Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995. (See end of Document for details)

2010/2279, **Sch. 2**) (with ss. 6(4), 205, and with amendments and savings in the said S.I. 2010/2279, **art. 16**); S.I. 2010/2317, **art. 2(15)(f)** (with arts. 4-25, Schs. 1-16); S.I. 2011/1066, **art. 2(h)**

Joining lessors in proceedings under section 25

- 7
- [^{F148}(1) In any proceedings on a claim [^{F149}under section 25 in a case to which section 27 applies, other than a claim presented as a complaint under section 25(8),] the plaintiff, the pursuer or the occupier concerned may ask the court to direct that the lessor be joined or sisted as a party to the proceedings.
- (2) The request shall be granted if it is made before the hearing of the claim begins.
- (3) The court may refuse the request if it is made after the hearing of the claim begins.
- (4) The request may not be granted if it is made after the court has determined the claim.
- (5) Where a lessor has been so joined or sisted as a party to the proceedings, the court may determine—
- (a) whether the lessor has—
- (i) refused consent to the alteration, or
- (ii) consented subject to one or more conditions, and
- (b) if so, whether the refusal or any of the conditions was unreasonable.
- (6) If, under sub-paragraph (5), the court determines that the refusal or any of the conditions was unreasonable it may take one or more of the following steps—
- (a) make such declaration as it considers appropriate;
- (b) make an order authorising the occupier to make the alteration specified in the order;
- (c) order the lessor to pay compensation to the complainant.
- (7) An order under sub-paragraph (6)(b) may require the occupier to comply with conditions specified in the order.
- (8) If the court orders the lessor to pay compensation it may not order the occupier to do so.]

Extent Information

E48 Following the repeal of this Act for E.W.S. by the Equality Act 2010, this provision now extends to N.I. only.

Textual Amendments

F148 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by S.I. 2010/2279, **Sch. 2**) (with ss. 6(4), 205, and with amendments and savings in the said S.I. 2010/2279, **art. 16**); S.I. 2010/2317, **art. 2(15)(f)** (with arts. 4-25, Schs. 1-16); S.I. 2011/1066, **art. 2(h)**

F149 Words in Sch. 4 para. 7(1) substituted (E.W.S.) (5.12.2005) by [Disability Discrimination Act 2005 \(c. 13\)](#), ss. 19(1), 20(3)-(6), **Sch. 1 para. 40(5)**; S.I. 2005/2774, **art. 3(j)** and said words substituted (N.I.) (31.12.2007) by [The Disability Discrimination \(Northern Ireland\) Order 2006 \(S.I. 2006/312 \(N.I. 1\)\)](#), arts. 1, 19, **Sch. 1 para. 31(5)**; S.R. 2007/466, **art. 2(2)(l)**

Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995. (See end of Document for details)

^{F150} ^{F151} *Joining lessors in proceedings relating to group insurance or employment services*

Textual Amendments

F150 Sch. 4 para. 7A and cross-heading inserted ((N.I.) (31.12.2007) by [The Disability Discrimination \(Northern Ireland\) Order 2006 \(S.I. 2006/312 \(N.I. 1\)\)](#), arts. 1, 19, **Sch. 1 para. 31(6)**; S.R. 2007/466, **art. 2(2)(l)**

F151 Sch. 4 para. 7A and cross-heading inserted (E.W.S.) (5.12.2005) by [Disability Discrimination Act 2005 \(c. 13\)](#), ss. 19(1), 20(3)-(6), **Sch. 1 para. 40(6)**; S.I. 2005/2774, **art. 3(j)**

[^{F151}7A ^{F152}]

Regulations

8

[^{F153}Regulations may make provision as to circumstances in which—

- (a) a lessor is to be taken, for the purposes of section 27 and this Part of this Schedule to have—
 - (i) withheld his consent;
 - (ii) withheld his consent unreasonably;
 - (iii) acted reasonably in withholding his consent;
- (b) a condition subject to which a lessor has given his consent is to be taken to be reasonable;
- (c) a condition subject to which a lessor has given his consent is to be taken to be unreasonable.]

Extent Information

E50 Following the repeal of this Act for E.W.S. by the Equality Act 2010, this provision now extends to N.I. only.

Textual Amendments

F153 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279](#), **Sch. 2**) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279](#), **art. 16**); S.I. 2010/2317, **art. 2(15)(f)** (with arts. 4-25, Schs. 1-16); S.I. 2011/1066, **art. 2(h)**

Commencement Information

I15 Sch. 4 para. 8 wholly in force at 31.12.2001; Sch. 4 para. 8 not in force at Royal Assent see [s. 70\(3\)](#); Sch. 4 para. 8 in force (E.W.S.) (9.5.2001) by [S.I. 2001/2030](#), **art. 2(c)(i)**; Sch. 4 para. 8 in force (N.I.) (31.12.2001) by [S.R. 2001/439](#), **art. 2(1)(c)(i)**

Sub-leases etc.

9

[^{F154}The Secretary of State may by regulations make provision supplementing, or modifying, the provision made by section 27 or any provision made by or under this Part of this Schedule in relation to cases where the occupier occupies premises under a sub-lease or sub-tenancy.]

Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995. (See end of Document for details)

Extent Information

E51 Following the repeal of this Act for E.W.S. by the Equality Act 2010, this provision now extends to Northern Ireland only and also has effect subject to the modifications for Northern Ireland set out in Sch. 8 para. 51(5); see s. 70(6)

Textual Amendments

F154 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279](#), [Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279](#), [art. 16](#)); [S.I. 2010/2317](#), [art. 2\(15\)\(f\)](#) (with arts. 4-25, Schs. 1-16); [S.I. 2011/1066](#), [art. 2\(h\)](#)

Commencement Information

I16 [Sch. 4 para. 9](#) wholly in force at 31.12.2001; [Sch. 4 para. 9](#) not in force at Royal Assent see s. 70(3); [Sch. 4 para. 9](#) in force (E.W.S.) (9.5.2001) by [S.I. 2001/2030](#), [art. 2\(c\)\(ii\)](#); [Sch. 4 para. 9](#) in force (N.I.) (31.12.2001) by [S.R. 2001/439](#), [art. 2\(1\)\(c\)\(ii\)](#)

[^{F155}PART 3

OCCUPATION BY EDUCATIONAL INSTITUTIONS

Textual Amendments

F155 [Sch. 4 Pt. 3](#) (paras. 10-14) inserted (E.W.S.) (1.9.2002) by [2001 c. 10](#), s. 31(2), [Sch. 6](#) (with s. 43(13)); [S.I. 2002/2217](#), [art. 3](#), [Sch. 1 Pt. I](#)

Modifications etc. (not altering text)

- C9** [Sch. 4 Pt. 3](#) (paras. 10-14) modified (28.6.2002) by [S.I. 2002/1458](#), [reg. 7](#) (which Regulations were revoked (1.5.2005) by [S.I. 2005/1070](#), [reg. 8](#))
- C10** [Sch. 4 Pt. 3](#) modified (1.5.2005) by The Disability Discrimination (Educational Institutions) (Alteration of Leasehold Premises) Regulations 2005, {[reg. 7](#)}

Failure to obtain consent

F156¹⁰ F157

Textual Amendments

F156 [Sch. 4 Pt. 3](#) (paras. 10-14) inserted (E.W.S.) (1.9.2002) by [2001 c. 10](#), s. 31(2), [Sch. 6](#) (with s. 43(13)); [S.I. 2002/2217](#), [art. 3](#), [Sch. 1 Pt. I](#)

F157 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279](#), [Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279](#), [art. 16](#)); [S.I. 2010/2317](#), [art. 2\(15\)\(f\)](#) (with arts. 4-25, Schs. 1-16); [S.I. 2011/1066](#), [art. 2\(h\)](#)

Reference to court

F158¹¹ F159

Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995. (See end of Document for details)

Textual Amendments

- F158** Sch. 4 Pt. 3 (paras. 10-14) inserted (E.W.S.) (1.9.2002) by 2001 c. 10, s. 31(2), **Sch. 6** (with s. 43(13)); S.I. 2002/2217, art. 3, **Sch. 1 Pt. I**
- F159** Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by **Equality Act 2010 (c. 15)**, 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by S.I. 2010/2279, **Sch. 2**) (with ss. 6(4), 205, and with amendments and savings in the said S.I. 2010/2279, **art. 16**); S.I. 2010/2317, **art. 2(15)(f)** (with arts. 4-25, Schs. 1-16); S.I. 2011/1066, **art. 2(h)**

Joining lessors in proceedings under section 28V

F16012 **F161**

Textual Amendments

- F160** Sch. 4 Pt. 3 (paras. 10-14) inserted (E.W.S.) (1.9.2002) by 2001 c. 10, s. 31(2), **Sch. 6** (with s. 43(13)); S.I. 2002/2217, art. 3, **Sch. 1 Pt. I**
- F161** Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by **Equality Act 2010 (c. 15)**, 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by S.I. 2010/2279, **Sch. 2**) (with ss. 6(4), 205, and with amendments and savings in the said S.I. 2010/2279, **art. 16**); S.I. 2010/2317, **art. 2(15)(f)** (with arts. 4-25, Schs. 1-16); S.I. 2011/1066, **art. 2(h)**

Regulations

F16213 **F163**

Textual Amendments

- F162** Sch. 4 Pt. 3 (paras. 10-14) inserted (E.W.S.) (1.9.2002) by 2001 c. 10, s. 31(2), **Sch. 6** (with s. 43(13)); S.I. 2002/2217, art. 3, **Sch. 1 Pt. I**
- F163** Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by **Equality Act 2010 (c. 15)**, 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by S.I. 2010/2279, **Sch. 2**) (with ss. 6(4), 205, and with amendments and savings in the said S.I. 2010/2279, **art. 16**); S.I. 2010/2317, **art. 2(15)(f)** (with arts. 4-25, Schs. 1-16); S.I. 2011/1066, **art. 2(h)**

Sub-leases etc.

F16414 **F165**]

Textual Amendments

- F164** Sch. 4 Pt. 3 paras. 10-14 inserted (E.W.S.) (1.9.2002) by 2001 c. 10, s. 31(2), **Sch. 6** (with s. 43(13)); S.I. 2002/2217, art. 3, **Sch. 1 Pt. I**
- F165** Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by **Equality Act 2010 (c. 15)**, 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by S.I. 2010/2279, **Sch. 2**) (with ss. 6(4), 205, and with amendments and savings in the said S.I. 2010/2279, **art. 16**); S.I. 2010/2317, **art. 2(15)(f)** (with arts. 4-25, Schs. 1-16); S.I. 2011/1066, **art. 2(h)**

Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995. (See end of Document for details)

[^{F166}PART 4

OCCUPATION BY GENERAL QUALIFICATIONS BODIES

Textual Amendments

F166 Sch. 4 Pt. 4 inserted (E.W.S.) (1.9.2007) by The Disability Discrimination Act 1995 (Amendment etc.) (General Qualifications Bodies) (Alteration of Premises and Enforcement) Regulations (S.I. 2007/2405), regs. 1(2), 6(3) (with regs. 8-13)

Failure to obtain consent to alteration

15 ^{F167}

Textual Amendments

F167 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by Equality Act 2010 (c. 15), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by S.I. 2010/2279, Sch. 2) (with ss. 6(4), 205, and with amendments and savings in the said S.I. 2010/2279, art. 16); S.I. 2010/2317, art. 2(15)(f) (with arts. 4-25, Schs. 1-16); S.I. 2011/1066, art. 2(h)

Reference to court

16 ^{F168}

Textual Amendments

F168 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by Equality Act 2010 (c. 15), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by S.I. 2010/2279, Sch. 2) (with ss. 6(4), 205, and with amendments and savings in the said S.I. 2010/2279, art. 16); S.I. 2010/2317, art. 2(15)(f) (with arts. 4-25, Schs. 1-16); S.I. 2011/1066, art. 2(h)

Joining lessors in proceedings under section 31ADA

17 ^{F169}]

Textual Amendments

F169 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by Equality Act 2010 (c. 15), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by S.I. 2010/2279, Sch. 2) (with ss. 6(4), 205, and with amendments and savings in the said S.I. 2010/2279, art. 16); S.I. 2010/2317, art. 2(15)(f) (with arts. 4-25, Schs. 1-16); S.I. 2011/1066, art. 2(h)

Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995. (See end of Document for details)

[^{F170}SCHEDULE 4A

Section 28A

RESPONSIBLE BODIES FOR SCHOOLS

Textual Amendments

F170 Sch. 4A inserted (E.W.S.) (1.9.2002) by 2001 c. 10, s. 11(2), Sch. 2 (with s. 43(13)); S.I. 2002/2217, art. 3, Sch. 1 Pt. 1

1 ^{F171}

Textual Amendments

F171 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by Equality Act 2010 (c. 15), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by S.I. 2010/2279, Sch. 2) (with ss. 6(4), 205, and with amendments and savings in the said S.I. 2010/2279, art. 16); S.I. 2010/2317, art. 2(15)(f) (with arts. 4-25, Schs. 1-16); S.I. 2011/1066, art. 2(h)

2 ^{F172}]

Textual Amendments

F172 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by Equality Act 2010 (c. 15), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by S.I. 2010/2279, Sch. 2) (with ss. 6(4), 205, and with amendments and savings in the said S.I. 2010/2279, art. 16); S.I. 2010/2317, art. 2(15)(f) (with arts. 4-25, Schs. 1-16); S.I. 2011/1066, art. 2(h)

[^{F173}SCHEDULE 4B

Section 28R

RESPONSIBLE BODIES FOR EDUCATIONAL INSTITUTIONS

Textual Amendments

F173 Sch. 4B inserted (E.W.S.) (1.9.2002) by 2001 c. 10, s. 26(2), Sch. 4 (with s. 43(13)); S.I. 2002/2217, art. 3, Sch. 1 Pt. 1

F174₁ ^{F175}

Textual Amendments

F174 Sch. 4B inserted (E.W.S.) (1.9.2002) by 2001 c. 10, s. 26(2), Sch. 4 (with s. 43(13)); S.I. 2002/2217, art. 3, Sch. 1 Pt. 1

F175 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by Equality Act 2010 (c. 15), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by S.I. 2010/2279, Sch. 2) (with ss. 6(4), 205, and with amendments and savings in the said S.I. 2010/2279, art. 16); S.I. 2010/2317, art. 2(15)(f) (with arts. 4-25, Schs. 1-16); S.I. 2011/1066, art. 2(h)

F176₂ ^{F177}]

Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995. (See end of Document for details)

Textual Amendments

F176 Sch. 4B inserted (E.W.S.) (1.9.2002) by 2001 c. 10, s. 26(2), **Sch. 4** (with s. 43(13)); S.I. 2002/2217, art. 3, **Sch. 1 Pt. 1**

F177 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by **Equality Act 2010 (c. 15)**, 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by S.I. 2010/2279, **Sch. 2**) (with ss. 6(4), 205, and with amendments and savings in the said S.I. 2010/2279, **art. 16**); S.I. 2010/2317, **art. 2(15)(f)** (with arts. 4-25, Schs. 1-16); S.I. 2011/1066, **art. 2(h)**

[^{F178}SCHEDULE 4C

Section 28U

MODIFICATIONS OF CHAPTER 2 OF PART 4

Textual Amendments

F178 Sch. 4C substituted (30.6.2006 for certain purposes and otherwise 1.9.2006) by **The Disability Discrimination Act 1995 (Amendment) (Further and Higher Education) Regulations 2006** (S.I. 2006/1721), regs. 1(2)(3), **21**

PART 1

MODIFICATIONS FOR ENGLAND AND WALES – FURTHER
EDUCATION, ETC PROVIDED BY [^{F179}LOCAL AUTHORITIES]

Textual Amendments

F179 Words in Sch. 4C Part. 1 heading substituted (5.5.2010) by **The Local Education Authorities and Children's Services Authorities (Integration of Functions) Order 2010** (S.I. 2010/1158), art. 1, **Sch. 2 para. 40(10)**

1 ^{F180}

Textual Amendments

F180 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by **Equality Act 2010 (c. 15)**, 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by S.I. 2010/2279, **Sch. 2**) (with ss. 6(4), 205, and with amendments and savings in the said S.I. 2010/2279, **art. 16**); S.I. 2010/2317, **art. 2(15)(f)** (with arts. 4-25, Schs. 1-16); S.I. 2011/1066, **art. 2(h)**

2 ^{F181}

Textual Amendments

F181 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by **Equality Act 2010 (c. 15)**, 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by S.I.

Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995. (See end of Document for details)

2010/2279, **Sch. 2**) (with ss. 6(4), 205, and with amendments and savings in the said S.I. 2010/2279, **art. 16**); S.I. 2010/2317, **art. 2(15)(f)** (with arts. 4-25, Schs. 1-16); S.I. 2011/1066, **art. 2(h)**

3 **F182**

Textual Amendments

F182 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279, Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279, art. 16](#)); S.I. 2010/2317, **art. 2(15)(f)** (with arts. 4-25, Schs. 1-16); S.I. 2011/1066, **art. 2(h)**

4 **F183**

Textual Amendments

F183 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279, Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279, art. 16](#)); S.I. 2010/2317, **art. 2(15)(f)** (with arts. 4-25, Schs. 1-16); S.I. 2011/1066, **art. 2(h)**

5 **F184**

Textual Amendments

F184 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279, Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279, art. 16](#)); S.I. 2010/2317, **art. 2(15)(f)** (with arts. 4-25, Schs. 1-16); S.I. 2011/1066, **art. 2(h)**

PART 1A

MODIFICATIONS FOR ENGLAND AND WALES – FURTHER EDUCATION PROVIDED BY SCHOOLS, ETC

6 **F185**

Textual Amendments

F185 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279, Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279, art. 16](#)); S.I. 2010/2317, **art. 2(15)(f)** (with arts. 4-25, Schs. 1-16); S.I. 2011/1066, **art. 2(h)**

7 **F186**

Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995. (See end of Document for details)

Textual Amendments

F186 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279, Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279, art. 16](#)); [S.I. 2010/2317, art. 2\(15\)\(f\)](#) (with arts. 4-25, Schs. 1-16); [S.I. 2011/1066, art. 2\(h\)](#)

8 **F187**

Textual Amendments

F187 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279, Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279, art. 16](#)); [S.I. 2010/2317, art. 2\(15\)\(f\)](#) (with arts. 4-25, Schs. 1-16); [S.I. 2011/1066, art. 2\(h\)](#)

9 **F188**

Textual Amendments

F188 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279, Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279, art. 16](#)); [S.I. 2010/2317, art. 2\(15\)\(f\)](#) (with arts. 4-25, Schs. 1-16); [S.I. 2011/1066, art. 2\(h\)](#)

10 **F189**

Textual Amendments

F189 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279, Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279, art. 16](#)); [S.I. 2010/2317, art. 2\(15\)\(f\)](#) (with arts. 4-25, Schs. 1-16); [S.I. 2011/1066, art. 2\(h\)](#)

11 **F190**

Textual Amendments

F190 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279, Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279, art. 16](#)); [S.I. 2010/2317, art. 2\(15\)\(f\)](#) (with arts. 4-25, Schs. 1-16); [S.I. 2011/1066, art. 2\(h\)](#)

12 **F191**

Textual Amendments

F191 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I.](#)

Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995. (See end of Document for details)

2010/2279, **Sch. 2**) (with ss. 6(4), 205, and with amendments and savings in the said S.I. 2010/2279, **art. 16**); S.I. 2010/2317, **art. 2(15)(f)** (with arts. 4-25, Schs. 1-16); S.I. 2011/1066, **art. 2(h)**

PART 2

MODIFICATIONS FOR SCOTLAND – FURTHER EDUCATION

13 **F192**

Textual Amendments

F192 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279, Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279, art. 16](#)); S.I. 2010/2317, **art. 2(15)(f)** (with arts. 4-25, Schs. 1-16); S.I. 2011/1066, **art. 2(h)**

14 **F193**

Textual Amendments

F193 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279, Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279, art. 16](#)); S.I. 2010/2317, **art. 2(15)(f)** (with arts. 4-25, Schs. 1-16); S.I. 2011/1066, **art. 2(h)**

15 **F194**

Textual Amendments

F194 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279, Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279, art. 16](#)); S.I. 2010/2317, **art. 2(15)(f)** (with arts. 4-25, Schs. 1-16); S.I. 2011/1066, **art. 2(h)**

16 **F195**

Textual Amendments

F195 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279, Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279, art. 16](#)); S.I. 2010/2317, **art. 2(15)(f)** (with arts. 4-25, Schs. 1-16); S.I. 2011/1066, **art. 2(h)**

17 **F196**

Textual Amendments

F196 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I.](#)

Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995. (See end of Document for details)

2010/2279, **Sch. 2**) (with ss. 6(4), 205, and with amendments and savings in the said S.I. 2010/2279, **art. 16**); S.I. 2010/2317, **art. 2(15)(f)** (with arts. 4-25, Schs. 1-16); S.I. 2011/1066, **art. 2(h)**

PART 2A

MODIFICATIONS FOR SCOTLAND – RECREATIONAL OR TRAINING FACILITIES

18 **F197**

Textual Amendments

F197 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279, Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279, art. 16](#)); S.I. 2010/2317, **art. 2(15)(f)** (with arts. 4-25, Schs. 1-16); S.I. 2011/1066, **art. 2(h)**

19 **F198**

Textual Amendments

F198 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279, Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279, art. 16](#)); S.I. 2010/2317, **art. 2(15)(f)** (with arts. 4-25, Schs. 1-16); S.I. 2011/1066, **art. 2(h)**

20 **F199**

Textual Amendments

F199 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279, Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279, art. 16](#)); S.I. 2010/2317, **art. 2(15)(f)** (with arts. 4-25, Schs. 1-16); S.I. 2011/1066, **art. 2(h)**

21 **F200**

Textual Amendments

F200 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279, Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279, art. 16](#)); S.I. 2010/2317, **art. 2(15)(f)** (with arts. 4-25, Schs. 1-16); S.I. 2011/1066, **art. 2(h)**

22 **F201**

Textual Amendments

F201 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I.](#)

Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995. (See end of Document for details)

2010/2279, **Sch. 2**) (with ss. 6(4), 205, and with amendments and savings in the said S.I. 2010/2279, **art. 16**); S.I. 2010/2317, **art. 2(15)(f)** (with arts. 4-25, Schs. 1-16); S.I. 2011/1066, **art. 2(h)**

23 **F202**

Textual Amendments

F202 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by **Equality Act 2010 (c. 15)**, 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by S.I. 2010/2279, **Sch. 2**) (with ss. 6(4), 205, and with amendments and savings in the said S.I. 2010/2279, **art. 16**); S.I. 2010/2317, **art. 2(15)(f)** (with arts. 4-25, Schs. 1-16); S.I. 2011/1066, **art. 2(h)**

24 **F203**]

Textual Amendments

F203 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by **Equality Act 2010 (c. 15)**, 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by S.I. 2010/2279, **Sch. 2**) (with ss. 6(4), 205, and with amendments and savings in the said S.I. 2010/2279, **art. 16**); S.I. 2010/2317, **art. 2(15)(f)** (with arts. 4-25, Schs. 1-16); S.I. 2011/1066, **art. 2(h)**

[^{F204F205}SCHEDULE 5

Section 50(8).]

THE NATIONAL DISABILITY COUNCIL

Textual Amendments

F204 **Sch. 5** repealed (E.W.S.)(25.4.2000) by 1999 c. 17, s. 14(2), **Sch. 5** (with s. 15); S.I. 2000/880, art. 2, **Sch. 2** Appendix
F205 **Sch. 5** repealed (N.I.) (25.4.2000) by S.I. 2000/1110 (N.I. 2), arts. 1(2), 16, **Sch. 2** (with art. 17); S.R. 2000/140, art. 2, **Sch.**

[^{F206} Status]

Textual Amendments

F206 **Sch. 5** repealed (E.W.S.) (25.4.2000) by 1999 c. 17, s. 14(2), **Sch. 5** (with s. 15); S.I. 2000/880, art. 2, **Sch. 2** Appendix and **Sch. 5** repealed (N.I.) (25.4.2000) by S.I. 2000/1110 (N.I. 2), arts. 1(2), 16, **Sch. 2** (with art. 17); S.R. 2000/140, art. 2, **Sch.**

1 **F207**

Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995. (See end of Document for details)

Textual Amendments

F207 Sch. 5 repealed (E.W.S.) (25.4.2000) by 1999 c. 17, s. 14(2), Sch. 5 (with s. 15); S.I. 2000/880, art. 2, Sch. 2 Appendix and Sch. 5 repealed (N.I.) (25.4.2000) by S.I. 2000/1110 (N.I. 2), arts. 1(2), 16, Sch. 2 (with art. 17); S.R. 2000/140, art. 2, Sch.

[^{F208} Procedure]

Textual Amendments

F208 Sch. 5 repealed (E.W.S.) (25.4.2000) by 1999 c. 17, s. 14(2), Sch. 5 (with s. 15); S.I. 2000/880, art. 2, Sch. 2 Appendix and Sch. 5 repealed (N.I.) (25.4.2000) by S.I. 2000/1110 (N.I. 2), arts. 1(2), 16, Sch. 2 (with art. 17); S.R. 2000/140, art. 2, Sch.

2 **F209**

Textual Amendments

F209 Sch. 5 repealed (E.W.S.) (25.4.2000) by 1999 c. 17, s. 14(2), Sch. 5 (with s. 15); S.I. 2000/880, art. 2, Sch. 2 Appendix and Sch. 5 repealed (N.I.) (25.4.2000) by S.I. 2000/1110 (N.I. 2), arts. 1(2), 16, Sch. 2 (with art. 17); S.R. 2000/140, art. 2, Sch.

[^{F210} Membership]

Textual Amendments

F210 Sch. 5 repealed (E.W.S.) (25.4.2000) by 1999 c. 17, s. 14(2), Sch. 5 (with s. 15); S.I. 2000/880, art. 2, Sch. 2 Appendix and Sch. 5 repealed (N.I.) (25.4.2000) by S.I. 2000/1110 (N.I. 2), arts. 1(2), 16, Sch. 2 (with art. 17); S.R. 2000/140, art. 2, Sch.

3 **F211**

Textual Amendments

F211 Sch. 5 repealed (E.W.S.) (25.4.2000) by 1999 c. 17, s. 14(2), Sch. 5 (with s. 15); S.I. 2000/880, art. 2, Sch. 2 Appendix and Sch. 5 repealed (N.I.) (25.4.2000) by S.I. 2000/1110 (N.I. 2), arts. 1(2), 16, Sch. 2 (with art. 17); S.R. 2000/140, art. 2, Sch.

[^{F212} Term of office of members]

Textual Amendments

F212 Sch. 5 repealed (E.W.S.) (25.4.2000) by 1999 c. 17, s. 14(2), Sch. 5 (with s. 15); S.I. 2000/880, art. 2, Sch. 2 Appendix and Sch. 5 repealed (N.I.) (25.4.2000) by S.I. 2000/1110 (N.I. 2), arts. 1(2), 16, Sch. 2 (with art. 17); S.R. 2000/140, art. 2, Sch.

4 **F213**

Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995. (See end of Document for details)

Textual Amendments

F213 Sch. 5 repealed (E.W.S.) (25.4.2000) by 1999 c. 17, s. 14(2), Sch. 5 (with s. 15); S.I. 2000/880, art. 2, Sch. 2 Appendix and Sch. 5 repealed (N.I.) (25.4.2000) by S.I. 2000/1110 (N.I. 2), arts. 1(2), 16, Sch. 2 (with art. 17); S.R. 2000/140, art. 2, Sch.

[^{F214} Remuneration]

Textual Amendments

F214 Sch. 5 repealed (E.W.S.) (25.4.2000) by 1999 c. 17, s. 14(2), Sch. 5 (with s. 15); S.I. 2000/880, art. 2, Sch. 2 Appendix and Sch. 5 repealed (N.I.) (25.4.2000) by S.I. 2000/1110 (N.I. 2), arts. 1(2), 16, Sch. 2 (with art. 17); S.R. 2000/140, art. 2, Sch.

5 **F215**

Textual Amendments

F215 Sch. 5 repealed (E.W.S.) (25.4.2000) by 1999 c. 17, s. 14(2), Sch. 5 (with s. 15); S.I. 2000/880, art. 2, Sch. 2 Appendix and Sch. 5 repealed (N.I.) (25.4.2000) by S.I. 2000/1110 (N.I. 2), arts. 1(2), 16, Sch. 2 (with art. 17); S.R. 2000/140, art. 2, Sch.

[^{F216} Staff]

Textual Amendments

F216 Sch. 5 repealed (E.W.S.) (25.4.2000) by 1999 c. 17, s. 14(2), Sch. 5 (with s. 15); S.I. 2000/880, art. 2, Sch. 2 Appendix and Sch. 5 repealed (N.I.) (25.4.2000) by S.I. 2000/1110 (N.I. 2), arts. 1(2), 16, Sch. 2 (with art. 17); S.R. 2000/140, art. 2, Sch.

6 **F217**

Textual Amendments

F217 Sch. 5 repealed (E.W.S.) (25.4.2000) by 1999 c. 17, s. 14(2), Sch. 5 (with s. 15); S.I. 2000/880, art. 2, Sch. 2 Appendix and Sch. 5 repealed (N.I.) (25.4.2000) by S.I. 2000/1110 (N.I. 2), arts. 1(2), 16, Sch. 2 (with art. 17); S.R. 2000/140, art. 2, Sch.

[^{F218} Supplementary regulation-making power]

Textual Amendments

F218 Sch. 5 repealed (E.W.S.) (25.4.2000) by 1999 c. 17, s. 14(2), Sch. 5 (with s. 15); S.I. 2000/880, art. 2, Sch. 2 Appendix and Sch. 5 repealed (N.I.) (25.4.2000) by S.I. 2000/1110 (N.I. 2), arts. 1(2), 16, Sch. 2 (with art. 17); S.R. 2000/140, art. 2, Sch.

7 **F219**

Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995. (See end of Document for details)

Textual Amendments

F219 Sch. 5 repealed (E.W.S.) (25.4.2000) by 1999 c. 17, s. 14(2), Sch. 5 (with s. 15); S.I. 2000/880, art. 2, Sch. 2 Appendix and Sch. 5 repealed (N.I.) (25.4.2000) by S.I. 2000/1110 (N.I. 2), arts. 1(2), 16, Sch. 2 (with art. 17); S.R. 2000/140, art. 2, Sch.

[^{F220} Annual report]

Textual Amendments

F220 Sch. 5 repealed (E.W.S.) (25.4.2000) by 1999 c. 17, s. 14(2), Sch. 5 (with s. 15); S.I. 2000/880, art. 2, Sch. 2 Appendix and Sch. 5 repealed (N.I.) (25.4.2000) by S.I. 2000/1110 (N.I. 2), arts. 1(2), 16, Sch. 2 (with art. 17); S.R. 2000/140, art. 2, Sch.

8 **F221**

Textual Amendments

F221 Sch. 5 repealed (E.W.S.) (25.4.2000) by 1999 c. 17, s. 14(2), Sch. 5 (with s. 15); S.I. 2000/880, art. 2, Sch. 2 Appendix and Sch. 5 repealed (N.I.) (25.4.2000) by S.I. 2000/1110 (N.I. 2), arts. 1(2), 16, Sch. 2 (with art. 17); S.R. 2000/140, art. 2, Sch.

SCHEDULE 6

Section 70(4).

CONSEQUENTIAL AMENDMENTS

Extent Information

E52 In its application to Northern Ireland, this Schedule has effect as substituted by Sch. 8 para. 53, and the Schedule is amended (N.I.) (24.9.1996) by S.I. 1996/1919 (N.I. 16), art. 257, Sch. 3 (with Sch. 2)

Employment and Training Act 1973 (c. 50)

1 **F222**

Extent Information

E53 In its application to Northern Ireland, this Schedule has effect as substituted by Sch. 8 para. 53, and Sch. 6 para. 1 is repealed (N.I.) (24.9.1996) by S.I. 1996/1919 (N.I. 16), art. 257, Sch. 3 (with Sch. 2)

Textual Amendments

F222 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by Equality Act 2010 (c. 15), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by S.I. 2010/2279, Sch. 2) (with ss. 6(4), 205, and with amendments and savings in the said S.I. 2010/2279, art. 16); S.I. 2010/2317, art. 2(15)(f) (with arts. 4-25, Schs. 1-16); S.I. 2011/1066, art. 2(h)

Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995. (See end of Document for details)

Employment Protection (Consolidation) Act 1978 (c. 44)

2 F223

Extent Information

E54 In its application to Northern Ireland, this Schedule has effect as substituted by Sch. 8 para. 53

Textual Amendments

F223 Sch. 6 para. 2 repealed (E.W.S.) (22.8.1996) by 1996 c. 17, ss. 45, 46, **Sch. 3 Pt. I** (with s. 38)

F224₃

Extent Information

E55 In its application to Northern Ireland, this Schedule has effect as substituted by Sch. 8 para. 53

Textual Amendments

F224 Sch. 6 para. 3 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt. I** (with ss. 191-195, 202)

Companies Act 1985 (c. 6)

4 F225

Extent Information

E56 In its application to Northern Ireland, this Schedule has effect as substituted by Sch. 8 para. 53

Textual Amendments

F225 Sch. 6 para. 4 repealed (6.4.2008) by [Companies Act 2006 \(c. 46\)](#), ss. 1295, 1300, **Sch. 16**; [S.I. 2007/3495](#), **art. 8**, **Sch. 2** (with [arts. 7, 12](#), **Sch. 4**) (as amended by [S.I. 2008/674](#), [S.I. 2008/1886](#) and [S.I. 2008/2860](#))

Local Government and Housing Act 1989 (c. 42)

5 F226

Extent Information

E57 In its application to Northern Ireland, this Schedule has effect as substituted by Sch. 8 para. 53

Textual Amendments

F226 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279](#), **Sch. 2**) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279](#), **art. 16**); [S.I. 2010/2317](#), **art. 2(15)(f)** (with [arts. 4-25](#), [Schs. 1-16](#)); [S.I. 2011/1066](#), **art. 2(h)**

Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995. (See end of Document for details)

Enterprise and New Towns (Scotland) Act 1990 (c. 35)

6

F227

Extent Information

E58 In its application to Northern Ireland, this Schedule has effect as substituted by Sch. 8 para. 53

Textual Amendments

F227 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279, Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279, art. 16](#)); [S.I. 2010/2317, art. 2\(15\)\(f\)](#) (with arts. 4-25, Schs. 1-16); [S.I. 2011/1066, art. 2\(h\)](#)

SCHEDULE 7

Section 70(5).

REPEALS

Extent Information

E59 In its application to Northern Ireland, this Schedule has effect as substituted by Sch. 8 para. 53; see [s. 70\(6\)](#)

Commencement Information

I17 Sch. 7 not in force at Royal Assent see [s. 70\(3\)](#); [Sch. 7](#) in force for specified purposes (E.W.S.) at 2.12.1996 by [S.I. 1996/1474, art. 2 \(3\)](#), Sch. Pt. III (with art. 3); [Sch. 7](#) in force for specified purposes (N.I.) at 2.12.1996 by [S.R. 1996/280, art. 2\(2\)](#), [Sch. Pt. II](#) (with art. 3)

^{F228} Chapter	Short title	Extent of repeal
7 & 8 Geo. 6 c. 10.	The Disabled Persons (Employment) Act 1944.	Section 1. Sections 6 to 14. Section 19. Section 21. Section 22(4).
6 & 7 Eliz. 2 c. 33.	The Disabled Persons (Employment) Act 1958.	Section 2.
1970 c. 44.	The Chronically Sick and Disabled Persons Act 1970.	Section 16.
1978 c. 44.	The Employment Protection (Consolidation) Act 1978.	In Schedule 13, in paragraph 20(3), the word “or” in the definitions of “relevant complaint of dismissal”

Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995. (See end of Document for details)

1989 c. 42.	The Local Government and Housing Act 1989.	and “relevant conciliation powers”. In section 7(2), paragraph (a) and the word “and” at the end of paragraph (d).
1993 c. 62.	The Education Act 1993.	In section 161(5), the words from “and in this subsection” to the end.]

Textual Amendments

F228 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279, Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279, art. 16](#)); [S.I. 2010/2317, art. 2\(15\)\(f\)](#) (with arts. 4-25, Schs. 1-16); [S.I. 2011/1066, art. 2\(h\)](#)

SCHEDULE 8

Section 70(6).

MODIFICATIONS OF THIS ACT IN ITS APPLICATION TO NORTHERN IRELAND

Extent Information

E60 [Sch. 8](#) extends to the United Kingdom but the operation of Sch. 8 is limited by application as mentioned in s. 70(6).

1 ^[F229]In its application to Northern Ireland this Act shall have effect subject to the following modifications.]

Textual Amendments

F229 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279, Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279, art. 16](#)); [S.I. 2010/2317, art. 2\(15\)\(f\)](#) (with arts. 4-25, Schs. 1-16); [S.I. 2011/1066, art. 2\(h\)](#)

2 ^[F230](1) ^{F231}.....

(2) In section 3 for subsections (4) to (12) substitute—

“(4) In preparing a draft of any guidance, the Department shall consult such persons as it considers appropriate.

(5) Where the Department proposes to issue any guidance, the Department shall publish a draft of it, consider any representations that are made to the Department about the draft and, if the Department thinks it appropriate, modify its proposals in the light of any of those representations.

(6) If the Department decides to proceed with any proposed guidance, the Department shall lay a draft of it before the Assembly.

Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995. (See end of Document for details)

- (7) If, within the statutory period, the Assembly resolves not to approve the draft, the Department shall take no further steps in relation to the proposed guidance.
- (8) If no such resolution is made within the statutory period, the Department shall issue the guidance in the form of its draft.
- (9) The guidance shall come into force on such date as the Department may by order appoint.
- (10) Subsection (7) does not prevent a new draft of the proposed guidance being laid before the Assembly.
- (11) The Department may—
 - (a) from time to time revise the whole or any part of any guidance and re-issue it ;
 - (b) by order revoke any guidance.
- (12) In this section—

“the Department” means the Department of Economic Development;

“guidance” means guidance issued by the Department under this section and includes guidance which has been revised and re-issued;

“statutory period” has the meaning assigned to it by section 41(2) of the Interpretation Act (Northern Ireland) 1954.”]

Textual Amendments

- F230** Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279, Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279, art. 16](#)); [S.I. 2010/2317, art. 2\(15\)\(f\)](#) (with arts. 4-25, Schs. 1-16); [S.I. 2011/1066, art. 2\(h\)](#)
- F231** [Sch. 8 para. 2\(1\)](#) repealed (31.10.2007) by [The Disability Discrimination \(Northern Ireland\) Order 2006 \(S.I. 2006/312 \(N.I. 1\)\)](#), arts. 1, 19, Sch. 1 para. 32(4), [Sch. 2](#); [S.R. 2007/430, art. 2\(b\)\(d\)](#)

3 **F232** **F233**

Textual Amendments

- F232** [Sch. 8 para. 3](#) omitted (21.2.2004 for certain purposes, otherwise 1.10.2004) by virtue of the [Disability Discrimination Act \(Amendment\) Regulations \(Northern Ireland\) \(S.R. 2004/55\)](#), regs. 1, {28(4)}
- F233** Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279, Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279, art. 16](#)); [S.I. 2010/2317, art. 2\(15\)\(f\)](#) (with arts. 4-25, Schs. 1-16); [S.I. 2011/1066, art. 2\(h\)](#)

4 [**F234**(1) **F235**
F236(2)
F236(3)]

Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995. (See end of Document for details)

Textual Amendments

- F234** Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279](#), [Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279](#), [art. 16](#)); [S.I. 2010/2317](#), [art. 2\(15\)\(f\)](#) (with [arts. 4-25](#), [Schs. 1-16](#)); [S.I. 2011/1066](#), [art. 2\(h\)](#)
- F235** [Sch. 8 para. 4\(1\)](#) omitted (21.2.2004 for certain purposes, otherwise 1.10.2004) by virtue of the Disability Discrimination Act (Amendment) Regulations (Northern Ireland) ([S.R. 2004/55](#)), regs. 1, {28(4)}
- F236** [Sch. 8 para. 4\(2\)\(3\)](#) repealed (N.I.) (25.4.2000) by [S.I. 2000/1110 \(N.I. 2\)](#), [art. 16](#), [Sch. 2](#) (with [art. 17](#)); [S.R. 2000/140](#), [art. 2](#), [Sch. Appendix](#)

5 F237

Extent Information

- E61** Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279](#), [Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279](#), [art. 16](#)); [S.I. 2010/2317](#), [art. 2\(15\)\(f\)](#) (with [arts. 4-25](#), [Schs. 1-16](#)); [S.I. 2011/1066](#), [art. 2\(h\)](#)

Textual Amendments

- F237** [Sch. 8 para. 5](#) omitted (21.2.2004 for certain purposes, otherwise 1.10.2004) by virtue of the Disability Discrimination Act (Amendment) Regulations (Northern Ireland) ([S.R. 2004/55](#)), regs. 1, {28(4)}

6 [^{F238}(1) ^{F239}
 (2) ^{F240}]

Textual Amendments

- F238** Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279](#), [Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279](#), [art. 16](#)); [S.I. 2010/2317](#), [art. 2\(15\)\(f\)](#) (with [arts. 4-25](#), [Schs. 1-16](#)); [S.I. 2011/1066](#), [art. 2\(h\)](#)
- F239** [Sch. 8 para. 6\(1\)](#) omitted (21.2.2004 for certain purposes, otherwise 1.10.2004) by virtue of the Disability Discrimination Act (Amendment) Regulations (Northern Ireland) ([S.R. 2004/55](#)), regs. 1, {28(4)}
- F240** [Sch. 8 para. 6\(2\)](#) repealed (N.I.) (1.1.1999) by [S.I. 1998/1265 \(N.I. 8\)](#), [art. 16](#), [Sch. 2](#); [S.R. 1998/274](#), [art. 2\(3\)](#), [Sch. 3](#)

F241 F242

Textual Amendments

- F241** Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279](#), [Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279](#), [art. 16](#)); [S.I. 2010/2317](#), [art. 2\(15\)\(f\)](#) (with [arts. 4-25](#), [Schs. 1-16](#)); [S.I. 2011/1066](#), [art. 2\(h\)](#)
- F242** [Sch. 8 para. 7](#) omitted (21.2.2004 for certain purposes, otherwise 1.10.2004) by virtue of the Disability Discrimination Act (Amendment) Regulations (Northern Ireland) ([S.R. 2004/55](#)), regs. 1, {28(4)}

F243 F244

Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995. (See end of Document for details)

Textual Amendments

- F243** Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279](#), [Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279](#), [art. 16](#)); [S.I. 2010/2317](#), [art. 2\(15\)\(f\)](#) (with [arts. 4-25](#), [Schs. 1-16](#)); [S.I. 2011/1066](#), [art. 2\(h\)](#)
- F244** [Sch. 8 para. 8](#) omitted (21.2.2004 for certain purposes, otherwise 1.10.2004) by virtue of the Disability Discrimination Act (Amendment) Regulations (Northern Ireland) ([S.R. 2004/55](#)), regs. 1, {28(4)}

- 9 [F245(1) In section 19(3)(g) for “section 2 of the Employment and Training Act 1973” substitute “sections 1 and 2 of the Employment and Training Act (Northern Ireland) 1950 ”.
- (2) F246
- (3) F246]

Textual Amendments

- F245** Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279](#), [Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279](#), [art. 16](#)); [S.I. 2010/2317](#), [art. 2\(15\)\(f\)](#) (with [arts. 4-25](#), [Schs. 1-16](#)); [S.I. 2011/1066](#), [art. 2\(h\)](#)
- F246** [Sch. 8 para. 9\(2\)\(3\)](#) repealed (1.9.2005) by The Special Educational Needs and Disability (Northern Ireland) Order ([S.I. 2005/1117 \(N.I. 6\)](#)), arts. 1, 50(2), {Sch. 6}; [S.R. 2005/337](#), [art. 2](#), [Sch.](#)

- 10 [F247 In section 20(7) for paragraphs (b) and (c) substitute
- (b) functions conferred by or under Part VIII of the Mental Health (Northern Ireland) Order 1986 are exercisable in relation to a disabled person’s property or affairs.”.]

Textual Amendments

- F247** Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279](#), [Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279](#), [art. 16](#)); [S.I. 2010/2317](#), [art. 2\(15\)\(f\)](#) (with [arts. 4-25](#), [Schs. 1-16](#)); [S.I. 2011/1066](#), [art. 2\(h\)](#)

- 11 [F248 In section 22(4) and (6) omit “or (in Scotland) the subject of”.]

Textual Amendments

- F248** Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279](#), [Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279](#), [art. 16](#)); [S.I. 2010/2317](#), [art. 2\(15\)\(f\)](#) (with [arts. 4-25](#), [Schs. 1-16](#)); [S.I. 2011/1066](#), [art. 2\(h\)](#)

- 12 [F249(1) In section 25(1) omit “or (in Scotland) in reparation”.
- (2) In section 25(3) for “England and Wales” substitute “ Northern Ireland ”.
- (3) Omit section 25(4).

Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995. (See end of Document for details)

(4) In section 25(5) omit the words from “or” to the end.]

Textual Amendments

F249 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279](#), [Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279](#), [art. 16](#)); [S.I. 2010/2317](#), [art. 2\(15\)\(f\)](#) (with arts. 4-25, Schs. 1-16); [S.I. 2011/1066](#), [art. 2\(h\)](#)

13 ^{F250}In section 26(3) omit “or a sheriff court”.]

Textual Amendments

F250 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279](#), [Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279](#), [art. 16](#)); [S.I. 2010/2317](#), [art. 2\(15\)\(f\)](#) (with arts. 4-25, Schs. 1-16); [S.I. 2011/1066](#), [art. 2\(h\)](#)

^{F251F252}14

Textual Amendments

F251 [Sch. 8 para. 14](#) repealed (N.I.) (25.4.2000) by [S.I. 2000/1110 \(N.I. 2\)](#), [art. 16](#), [Sch. 2](#) (with [art. 17](#)); [S.R. 2000/140](#), [art. 2](#), [Sch. Appendix](#)
F252 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279](#), [Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279](#), [art. 16](#)); [S.I. 2010/2317](#), [art. 2\(15\)\(f\)](#) (with arts. 4-25, Schs. 1-16); [S.I. 2011/1066](#), [art. 2\(h\)](#)

15 ^{F253}Omit sections 29, 30 and 31.]

Textual Amendments

F253 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279](#), [Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279](#), [art. 16](#)); [S.I. 2010/2317](#), [art. 2\(15\)\(f\)](#) (with arts. 4-25, Schs. 1-16); [S.I. 2011/1066](#), [art. 2\(h\)](#)

16^{F254}(1) In section 32(1) for “Secretary of State” substitute “ Department of the Environment ”.

(2) In section 32(5) for the definition of “taxi” substitute—

““taxi” means a vehicle which—

- (a) is licensed under Article 61 of the Road Traffic (Northern Ireland) Order 1981 to stand or ply for hire; and
- (b) seats not more than 8 passengers in addition to the driver”.]

Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995. (See end of Document for details)

Textual Amendments

F254 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279](#), [Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279](#), [art. 16](#)); [S.I. 2010/2317](#), [art. 2\(15\)\(f\)](#) (with [arts. 4-25](#), [Schs. 1-16](#)); [S.I. 2011/1066](#), [art. 2\(h\)](#)

17 ^[F255]In section 33, for “Secretary of State”, wherever it occurs, substitute “Department of the Environment ”.]

Textual Amendments

F255 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279](#), [Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279](#), [art. 16](#)); [S.I. 2010/2317](#), [art. 2\(15\)\(f\)](#) (with [arts. 4-25](#), [Schs. 1-16](#)); [S.I. 2011/1066](#), [art. 2\(h\)](#)

18 ^[F256]For section 34 substitute—

“ New licences conditional on compliance with accessibility tax regulations

- (1) The Department of the Environment shall not grant a public service vehicle licence under Article 61 of the Road Traffic (Northern Ireland) Order 1981 for a taxi unless the vehicle conforms with those provisions of the taxi accessibility regulations with which it will be required to conform if licensed.
- (2) Subsection (1) does not apply if such a licence was in force with respect to the vehicle at any time during the period of 28 days immediately before the day on which the licence is granted.
- (3) The Department of the Environment may by order provide for subsection (2) to cease to have effect on such date as may be specified in the order.”.]

Textual Amendments

F256 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279](#), [Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279](#), [art. 16](#)); [S.I. 2010/2317](#), [art. 2\(15\)\(f\)](#) (with [arts. 4-25](#), [Schs. 1-16](#)); [S.I. 2011/1066](#), [art. 2\(h\)](#)

19 ^[F257]Omit section 35.]

Textual Amendments

F257 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279](#), [Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279](#), [art. 16](#)); [S.I. 2010/2317](#), [art. 2\(15\)\(f\)](#) (with [arts. 4-25](#), [Schs. 1-16](#)); [S.I. 2011/1066](#), [art. 2\(h\)](#)

20 ^[F258]In section 36(7) for “licensing authority” substitute “ Department of the Environment ”.]

Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995. (See end of Document for details)

Textual Amendments

F258 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279, Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279, art. 16](#)); [S.I. 2010/2317, art. 2\(15\)\(f\)](#) (with arts. 4-25, Schs. 1-16); [S.I. 2011/1066, art. 2\(h\)](#)

21^[F259](1) In section 37(5) and (6) for “licensing authority” substitute “ Department of the Environment ”.

(2) In section 37(9) for “Secretary of State” substitute “ Department of the Environment ”.]

Textual Amendments

F259 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279, Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279, art. 16](#)); [S.I. 2010/2317, art. 2\(15\)\(f\)](#) (with arts. 4-25, Schs. 1-16); [S.I. 2011/1066, art. 2\(h\)](#)

[^{F260}^{F261}21^(A)(1) In section 37A(5) and (6) for “licensing authority” substitute “Department of the Environment”.

(2) In section 37A(9) for the definitions of “driver”, “licensing authority”, “operator” and “private hire vehicle” substitute— “

“driver” means a person who holds a taxi driver’s licence under Article 79A of the Road Traffic (Northern Ireland) Order 1981 (SI 1981/154 (NI 1));

“operator” means a person who in the course of a business makes provision for the invitation or acceptance of bookings for a private hire vehicle;

“private hire vehicle” means a vehicle which—

- (a) seats not more than 8 passengers in addition to the driver; and
- (b) is licensed under Article 61 of the Road Traffic (Northern Ireland) Order 1981 to carry passengers for hire (but not to stand or ply for hire). ”.]

Textual Amendments

F260 [Sch. 8 para. 21A](#) inserted (31.12.2003 for E.W. for certain purposes otherwise 31.3.2004 for E.W. and 1.1.2008 for N.I. for certain purposes, otherwise 1.6.2008 for N.I.) by [2002 c. 37, ss. 1\(2\), 6\(2\)](#); [S.I. 2003/3123, art. 2](#); [S.I. 2007/3477, art. 2](#)

F261 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279, Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279, art. 16](#)); [S.I. 2010/2317, art. 2\(15\)\(f\)](#) (with arts. 4-25, Schs. 1-16); [S.I. 2011/1066, art. 2\(h\)](#)

22^[F262](1) In section 38(1) for “a licensing authority” substitute “ the Department of the Environment ”.

(2) In section 38(2) for “licensing authority concerned” substitute “ Department of the Environment ”.

Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995. (See end of Document for details)

(3) ^{F263}]

Textual Amendments

F262 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279, Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279, art. 16](#)); [S.I. 2010/2317, art. 2\(15\)\(f\)](#) (with arts. 4-25, Schs. 1-16); [S.I. 2011/1066, art. 2\(h\)](#)

F263 Sch. 8 para. 22(3) repealed (N.I.) (31.10.2016) by Justice Act (Northern Ireland) 2015 c. 9 (N.I.), s. 106(2), [Sch. 1 para. 104\(2\)](#) (with Sch. 8 para. 1); [S.R. 2016/387, art. 2\(k\)](#) (with art. 3)

23 ^{F264} [Omit section 39.]

Textual Amendments

F264 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279, Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279, art. 16](#)); [S.I. 2010/2317, art. 2\(15\)\(f\)](#) (with arts. 4-25, Schs. 1-16); [S.I. 2011/1066, art. 2\(h\)](#)

24 ^{F265} (1) In section 40 for “Secretary of State” wherever it occurs substitute “ Department of the Environment ”.

(2) In section 40(5) for the definition of “public service vehicle” substitute—

““public service vehicle” means a vehicle which—

- (a) seats more than 8 passengers in addition to the driver; and
- (b) is a public service vehicle for the purposes of the Road Traffic (Northern Ireland) Order 1981;”.

(3) In section 40(7) for the words from “the Disabled” to the end substitute “ such representative organisations as it thinks fit ”.]

Textual Amendments

F265 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279, Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279, art. 16](#)); [S.I. 2010/2317, art. 2\(15\)\(f\)](#) (with arts. 4-25, Schs. 1-16); [S.I. 2011/1066, art. 2\(h\)](#)

25 ^{F266} (1) In section 41(2) for “Secretary of State” substitute “ Department of the Environment ”.

(2) In section 41 for subsections (3) and (4) substitute—

“(3) Any person who uses a regulated public service vehicle in contravention of this section is guilty of an offence and liable on summary conviction to a fine not exceeding level 4 on the standard scale.”.]

Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995. (See end of Document for details)

Textual Amendments

F266 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279](#), [Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279](#), [art. 16](#)); [S.I. 2010/2317](#), [art. 2\(15\)\(f\)](#) (with [arts. 4-25](#), [Schs. 1-16](#)); [S.I. 2011/1066](#), [art. 2\(h\)](#)

- 26^[F267](1) In section 42 for “Secretary of State” wherever it occurs substitute “ Department of the Environment ”.
- (2) In section 42(1) for “he” substitute “ it ”.
- (3) In section 42(6) for “his” substitute “ its ”.]

Textual Amendments

F267 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279](#), [Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279](#), [art. 16](#)); [S.I. 2010/2317](#), [art. 2\(15\)\(f\)](#) (with [arts. 4-25](#), [Schs. 1-16](#)); [S.I. 2011/1066](#), [art. 2\(h\)](#)

- 27 ^[F268]In section 43 for “Secretary of State” wherever it occurs substitute “ Department of the Environment ”.]

Textual Amendments

F268 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279](#), [Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279](#), [art. 16](#)); [S.I. 2010/2317](#), [art. 2\(15\)\(f\)](#) (with [arts. 4-25](#), [Schs. 1-16](#)); [S.I. 2011/1066](#), [art. 2\(h\)](#)

- 28^[F269](1) In section 44 for “Secretary of State” wherever it occurs substitute “ Department of the Environment ”.
- (2) In section 44(2) for “him” substitute “ it ”.
- (3) In section 44(6) for “he” substitute “ it ” and for “his” substitute “ its ”.]

Textual Amendments

F269 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279](#), [Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279](#), [art. 16](#)); [S.I. 2010/2317](#), [art. 2\(15\)\(f\)](#) (with [arts. 4-25](#), [Schs. 1-16](#)); [S.I. 2011/1066](#), [art. 2\(h\)](#)

- 29^[F270](1) In section 45 for “Secretary of State” wherever it occurs substitute “ Department of the Environment ”.
- (2) In section 45(2) for “him” substitute “ it ” and at the end add “ of Northern Ireland ”.
- (3) In section 45(4) for “he” substitute “ it ”.]

Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995. (See end of Document for details)

Textual Amendments

F270 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279, Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279, art. 16](#)); [S.I. 2010/2317, art. 2\(15\)\(f\)](#) (with arts. 4-25, Schs. 1-16); [S.I. 2011/1066, art. 2\(h\)](#)

- 30^[F271](1) In section 46 for “Secretary of State” wherever it occurs substitute “ Department of the Environment ”.
- (2) In section 46(6) in the definition of “rail vehicle” for the words “on any railway, tramway or prescribed system” substitute “ by rail ”.
- (3) Omit section 46(7).
- (4) In section 46(11) for the words from “the Disabled” to the end substitute “ such representative organisations as it thinks fit ”.]

Textual Amendments

F271 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279, Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279, art. 16](#)); [S.I. 2010/2317, art. 2\(15\)\(f\)](#) (with arts. 4-25, Schs. 1-16); [S.I. 2011/1066, art. 2\(h\)](#)

- 31^[F272](1) In section 47 for “Secretary of State” wherever it occurs substitute “ Department of the Environment ”.
- (2) In section 47(3) for the words “the Disabled Persons Transport Advisory Committee and such other persons as he” substitute “ such persons as it ” and for “he” substitute “ it ”.]

Textual Amendments

F272 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279, Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279, art. 16](#)); [S.I. 2010/2317, art. 2\(15\)\(f\)](#) (with arts. 4-25, Schs. 1-16); [S.I. 2011/1066, art. 2\(h\)](#)

- 32 ^[F273]Omit section 48(3).]

Textual Amendments

F273 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279, Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279, art. 16](#)); [S.I. 2010/2317, art. 2\(15\)\(f\)](#) (with arts. 4-25, Schs. 1-16); [S.I. 2011/1066, art. 2\(h\)](#)

- F274F275³³

Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995. (See end of Document for details)

Textual Amendments

- F274** Sch. 8 para. 33 repealed (N.I.) (25.4.2000) by S.I. 2000/1110 (N.I. 2), art. 16, **Sch. 2** (with art. 17); S.R. 2000/140, art. 2 **Sch.** Appendix
- F275** Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by **Equality Act 2010 (c. 15)**, 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by S.I. 2010/2279, **Sch. 2**) (with ss. 6(4), 205, and with amendments and savings in the said S.I. 2010/2279, art. 16); S.I. 2010/2317, art. 2(15)(f) (with arts. 4-25, Schs. 1-16); S.I. 2011/1066, art. 2(h)

F276 34(1)

F276 (2)

- (3) In section 51(4) for “a county court or a sheriff court” substitute “ or a county court ”.
- (4) In section 51(6) for “the Secretary of State” substitute “ a Northern Ireland department ”.]

Textual Amendments

- F276** Sch. 8 para. 34 repealed (N.I.) (25.4.2000 in relation to sub-paras. (1)(2) and otherwise prosp.) by S.I. 2000/1110 (N.I. 2), art. 16, **Sch. 2** (with art. 17); S.R. 2000/140, art. 2, **Sch.** Appendix
- F277** Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by **Equality Act 2010 (c. 15)**, 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by S.I. 2010/2279, **Sch. 2**) (with ss. 6(4), 205, and with amendments and savings in the said S.I. 2010/2279, art. 16); S.I. 2010/2317, art. 2(15)(f) (with arts. 4-25, Schs. 1-16); S.I. 2011/1066, art. 2(h)

F278 35 **F279** For section 52 substitute—

“ Further provisions about codes issued under section 51.

- (1) In this section—
 - “proposal” means a proposal made by **F280**the Equality Commission for Northern Ireland] to a Northern Ireland department under section 51;
 - “responsible department”—
 - (a) in relation to a proposal, means the Northern Ireland department to which the proposal is made,
 - (b) in relation to a code, means the Northern Ireland department by which the code is issued; and
 - “statutory period” has the meaning assigned to it by section 41(2) of the Interpretation Act (Northern Ireland) 1954.
- (2) In preparing any proposal, **F280**the Equality Commission for Northern Ireland] shall consult—
 - (a) such persons (if any) as the responsible department has specified in making its request to **F280**the Equality Commission for Northern Ireland]; and
 - (b) such other persons (if any) as **F280**the Equality Commission for Northern Ireland] considers appropriate.

Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995. (See end of Document for details)

- (3) Before making any proposal [^{F280}the Equality Commission for Northern Ireland] shall publish a draft, consider any representations made to it about the draft and, if it thinks it appropriate, modify its proposal in the light of any of those representations.
- (4) Where [^{F280}the Equality Commission for Northern Ireland] makes any proposal, the responsible department may—
 - (a) approve it;
 - (b) approve it subject to such modifications as that department thinks appropriate; or
 - (c) refuse to approve it.
- (5) Where the responsible department approves any proposal (with or without modifications) that department shall prepare a draft of the proposed code and lay it before the Assembly.
- (6) If, within the statutory period, the Assembly resolves not to approve the draft, the responsible department shall take no further steps in relation to the proposed code.
- (7) If no such resolution is made within the statutory period, the responsible department shall issue the code in the form of its draft.
- (8) The code shall come into force on such date as the responsible department may appoint by order.
- (9) Subsection (6) does not prevent a new draft of the proposed code from being laid before the Assembly.
- (10) If the responsible department refuses to approve a proposal, that department shall give [^{F280}the Equality Commission for Northern Ireland] a written statement of the department’s reasons for not approving it.
- (11) The responsible department may by order revoke a code.”.]

Textual Amendments

F278 Sch. 8 para. 35: s. 52 (as substituted by this provision) repealed (N.I.) (25.4.2000 in relation to s. 52(1)-(10) (with the exception of para. (b) in the definition of "responsible Department" in (1)) otherwise prosp.) by virtue of S.I. 2000/1110 (N.I. 2), arts. 1(2), 16, Sch. 2 (with arts. 11(2)(3), 17); S.R. 2000/140, art. 2, Sch. Appendix

F279 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by Equality Act 2010 (c. 15), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by S.I. 2010/2279, Sch. 2) (with ss. 6(4), 205, and with amendments and savings in the said S.I. 2010/2279, art. 16); S.I. 2010/2317, art. 2(15)(f) (with arts. 4-25, Schs. 1-16); S.I. 2011/1066, art. 2(h)

F280 Words in Sch. 8 substituted (1.10.1999) by 1998 c. 47, s. 99, Sch. 13 para. 16(2)(a) (with s. 95); S.I. 1999/2204, art. 3

36^{F281}(1) In section 53 for “Secretary of State” wherever it occurs substitute “ Department of Economic Development ”.

(2) In section 53(1) for “he” substitute “it”.

(3) In section 53(5) for “a county court or a sheriff court” substitute “ or a county court ”.]

Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995. (See end of Document for details)

Textual Amendments

F281 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279, Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279, art. 16](#)); [S.I. 2010/2317, art. 2\(15\)\(f\)](#) (with [arts. 4-25, Schs. 1-16](#)); [S.I. 2011/1066, art. 2\(h\)](#)

37 [^{F282}For section 54 substitute—

“ **Further provisions about codes issued under section 53.**

- (1) In preparing a draft of any code under section 53, the Department shall consult such organisations representing the interests of employers or of disabled persons in, or seeking, employment as the Department considers appropriate.
- (2) Where the Department proposes to issue a code, the Department shall publish a draft of the code, consider any representations that are made to the Department about the draft and, if the Department thinks it appropriate, modify its proposals in the light of any of those representations.
- (3) If the Department decides to proceed with the code, the Department shall lay a draft of it before the Assembly.
- (4) If, within the statutory period, the Assembly resolves not to approve the draft, the Department shall take no further steps in relation to the proposed code.
- (5) If no such resolution is made within the statutory period, the Department shall issue the code in the form of its draft.
- (6) The code shall come into force on such date as the Department may appoint by order.
- (7) Subsection (4) does not prevent a new draft of the proposed code from being laid before the Assembly.
- (8) The Department may by order revoke a code.
- (9) In this section—

“the Department” means the Department of Economic Development; and

“statutory period” has the meaning assigned to it by section 41(2) of the Interpretation Act (Northern Ireland) 1954.”]

Textual Amendments

F282 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279, Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279, art. 16](#)); [S.I. 2010/2317, art. 2\(15\)\(f\)](#) (with [arts. 4-25, Schs. 1-16](#)); [S.I. 2011/1066, art. 2\(h\)](#)

38 [^{F283}In section 56(2) and (4) for “Secretary of State” substitute “ Department of Economic Development ”.]

Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995. (See end of Document for details)

Textual Amendments

F283 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279](#), [Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279](#), [art. 16](#)); [S.I. 2010/2317](#), [art. 2\(15\)\(f\)](#) (with [arts. 4-25](#), [Schs. 1-16](#)); [S.I. 2011/1066](#), [art. 2\(h\)](#)

39 ^[F284]In section 59(1) after “Crown” where it twice occurs insert “ or a Northern Ireland department ”.]

Textual Amendments

F284 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279](#), [Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279](#), [art. 16](#)); [S.I. 2010/2317](#), [art. 2\(15\)\(f\)](#) (with [arts. 4-25](#), [Schs. 1-16](#)); [S.I. 2011/1066](#), [art. 2\(h\)](#)

40^[F285](1) In section 60(1) to (3) for “Secretary of State” wherever it occurs substitute “ Department of Economic Development ” and for “he” and “him” wherever they occur substitute “ it ”.

(2) In section 60(4) for “Treasury” substitute “ Department of Finance and Personnel in Northern Ireland ”.

(3) For section 60(6) substitute—

“(6) The Department of Economic Development may by order repeal section 17 of, and Schedule 2 to, the Disabled Persons (Employment) Act (Northern Ireland) 1945 (district advisory committees).”.

(4) In section 60(7) omit “paragraph (b) of”, for “1944” substitute “ 1945 ”and omit “in each case”.

(5) In section 60, omit subsection (8).]

Textual Amendments

F285 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279](#), [Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279](#), [art. 16](#)); [S.I. 2010/2317](#), [art. 2\(15\)\(f\)](#) (with [arts. 4-25](#), [Schs. 1-16](#)); [S.I. 2011/1066](#), [art. 2\(h\)](#)

41 ^[F286]For section 61 substitute—

“ Amendments of Disabled Persons (Employment) Act (Northern Ireland) 1945.

(1) Section 15 of the Disabled Persons (Employment) Act (Northern Ireland) 1945 (which gives the Department of Economic Development power to make arrangements for the provision of supported employment) is amended as set out in subsections (2) to (5).

(2) In subsection (1)—

Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995. (See end of Document for details)

- (a) for “persons registered as handicapped by disablement” substitute “disabled persons”;
 - (b) for “their disablement” substitute “their disability”; and
 - (c) for “are not subject to disablement” substitute “do not have a disability”.
- (3) In subsection (2) for the words from “any of one or more companies” to “so required and prohibited” substitute “any company, association or body”.
- (4) After subsection (2) insert—
- “(2A) The only kind of company which the Department itself may form in exercising its powers under this section is a company which is—
- (a) required by its constitution to apply its profits, if any, or other income in promoting its objects; and
 - (b) prohibited by its constitution from paying any dividend to its members.”.
- (5) After subsection (5) insert—
- “(5A) For the purposes of this section—
- (a) a person is a disabled person if he is a disabled person for the purposes of the Disability Discrimination Act 1995; and
 - (b) “disability” has the same meaning as in that Act.”.
- (6) The provisions of section 16 of the Act of 1945 (preference to be given under section 15 of that Act to ex-service men and women) shall become subsection (1) of that section and at the end insert—
- “and whose disability is due to that service.
- (2) or the purposes of subsection (1) of this section, a disabled person’s disability shall be treated as due to service of a particular kind only in such circumstances as may be prescribed.”
- (7) The following provisions of the Act of 1945 shall cease to have effect—
- (a) section 1 (definition of “disabled person”);
 - (b) sections 2 to 4 (training for disabled persons);
 - (c) sections 6 to 8 (the register of disabled persons);
 - (d) sections 9 to 11 (obligations on employers with substantial staffs to employ quota of registered persons);
 - (e) section 12 (the designated employment scheme for persons registered as handicapped by disablement);
 - (f) section 13 (interpretation of provisions repealed by this Act);
 - (g) section 14 (records to be kept by employer);
 - (h) section 19 (proceedings in relation to offences);
 - (j) sections 21 and 22 (supplementary).
- (8) Any statutory provision in which “disabled person” is defined by reference to the Act of 1945 shall be construed as if that expression had the same meaning as in this Act.]

Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995. (See end of Document for details)

Textual Amendments

F286 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279](#), [Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279](#), [art. 16](#)); [S.I. 2010/2317](#), [art. 2\(15\)\(f\)](#) (with [arts. 4-25](#), [Schs. 1-16](#)); [S.I. 2011/1066](#), [art. 2\(h\)](#)

42^[F287](1) In section 62(2) for “Secretary of State” substitute “ Department of Economic Development ”.

^[F288](2) In section 62(7) for “Great Britain” where it twice occurs substitute “ Northern Ireland ”.]]

Textual Amendments

F287 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279](#), [Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279](#), [art. 16](#)); [S.I. 2010/2317](#), [art. 2\(15\)\(f\)](#) (with [arts. 4-25](#), [Schs. 1-16](#)); [S.I. 2011/1066](#), [art. 2\(h\)](#)

F288 [Sch. 8 para. 42\(2\)](#) repealed (N.I.)(24.9.1996) by [S.I. 1996/1921 \(N.I.18\)](#), [art. 28](#), [Sch. 3](#) (with [Sch. 2](#))

43 ^[F289]Omit section 63.]

Textual Amendments

F289 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279](#), [Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279](#), [art. 16](#)); [S.I. 2010/2317](#), [art. 2\(15\)\(f\)](#) (with [arts. 4-25](#), [Schs. 1-16](#)); [S.I. 2011/1066](#), [art. 2\(h\)](#)

44^[F290](1) In section 64(3) for “England and Wales” substitute “ Northern Ireland ”.

(2) Omit section 64(4).

(3) ^{F291}

(4) In section 64(8)—

(a) omit the definitions of “British Transport Police”, “Royal Parks Constabulary” and “United Kingdom Atomic Energy Authority Constabulary”;

(b) in the definition of “the 1947 Act” at the end add “ as it applies both in relation to the Crown in right of Her Majesty’s Government in Northern Ireland and in relation to the Crown in right of Her Majesty’s Government in the United Kingdom ”;

(c) ^{F292}

(d) ^{F292}

(e) in the definition of “service for purposes of a Minister of the Crown or government department” at the end add “ or service as the head of a Northern Ireland department ”.]

Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995. (See end of Document for details)

Textual Amendments

- F290** Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279](#), [Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279](#), [art. 16](#)); [S.I. 2010/2317](#), [art. 2\(15\)\(f\)](#) (with [arts. 4-25](#), [Schs. 1-16](#)); [S.I. 2011/1066](#), [art. 2\(h\)](#)
- F291** [Sch. 8 para. 44\(3\)](#) omitted (21.2.2004 for certain purposes, otherwise 1.10.2004) by virtue of the Disability Discrimination Act (Amendment) Regulations (Northern Ireland) ([S.R. 2004/55](#)), regs. 1, {28(4)}
- F292** [Sch. 8 para. 44\(4\)\(c\)\(d\)](#) omitted (21.2.2004 for certain purposes, otherwise 1.10.2004) by virtue of the Disability Discrimination Act (Amendment) Regulations (Northern Ireland) ([S.R. 2004/55](#)), regs. 1, {28(4)}

45 [^{F293}Omit section 65.]

Textual Amendments

- F293** Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279](#), [Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279](#), [art. 16](#)); [S.I. 2010/2317](#), [art. 2\(15\)\(f\)](#) (with [arts. 4-25](#), [Schs. 1-16](#)); [S.I. 2011/1066](#), [art. 2\(h\)](#)

46 [^{F294}For section 67 substitute—

“ Regulations and orders etc.

- (1) Any power under this Act to make regulations or orders shall be exercisable by statutory rule for the purposes of the Statutory Rules (Northern Ireland) Order 1979.
- (2) Any such power may be exercised to make different provision for different cases, including different provision for different areas or localities.
- (3) Any such power, includes power—
 - (a) to make such incidental, supplementary, consequential or transitional provision as appears to the Northern Ireland department exercising the power to be expedient; and
 - (b) to provide for a person to exercise a discretion in dealing with any matter.
- (4) ^{F295}
- (5) Any other order made under this Act, other than an order under section 3(9), [^{F296}54A(6)(a)] or 70(3), and any regulations made under this Act shall be subject to negative resolution within the meaning of section 41(6) of the Interpretation Act (Northern Ireland) 1954 as if they were statutory instruments within the meaning of that Act.
- (6) Section 41(3) of the Interpretation Act (Northern Ireland) 1954 shall apply in relation to any instrument or document which by virtue of this Act is required to be laid before the Assembly as if it were a statutory instrument or statutory document within the meaning of that Act.

Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995. (See end of Document for details)

- (7) Subsection (1) does not require an order under section 43 which applies only to a specified vehicle, or to vehicles of a specified person, to be made by statutory rule.
- (8) Nothing in section 40(6) or 46(5) affects the powers conferred by subsections (2) and (3).”]

Textual Amendments

- F294** Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279](#), [Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279](#), [art. 16](#)); [S.I. 2010/2317](#), [art. 2\(15\)\(f\)](#) (with arts. 4-25, Schs. 1-16); [S.I. 2011/1066](#), [art. 2\(h\)](#)
- F295** [Sch. 8 para. 46](#): s. 67(4) (as it has effect in its application to Northern Ireland by virtue of this provision) repealed (25.4.2000) by [S.I. 2000/1110](#), [art. 16](#), [Sch. 2](#); [S.R. 2000/140](#), [art. 2](#), [Sch.](#) Appendix
- F296** [Sch. 8 para. 46](#): words in s. 67(5) (as it has effect in its application to Northern Ireland by virtue of this provision) substituted (25.4.2000) by [S.I. 2000/1110](#), [art. 15](#) (with [art. 17](#)); [S.R. 2000/140](#), [art. 2](#), [Sch.](#)

47^{F297}(1) For section 68(1) substitute—

“(1) In this Act—

“accessibility certificate” means a certificate issued under section 41(1)(a);

“act” includes a deliberate omission;

“the Agency” means the Labour Relations Agency;

“approval certificate” means a certificate issued under section 42(4);

“the Assembly” means the Northern Ireland Assembly;

“benefits”, in Part II, has the meaning given in section 4(4);

“the Department of Economic Development” means the Department of Economic Development in Northern Ireland;

“the Department of the Environment” means the Department of the Environment for Northern Ireland;

“the Department of Health and Social Services” means the Department of Health and Social Services for Northern Ireland;

“employment” means, subject to any prescribed provision, employment under a contract of service or of apprenticeship or a contract personally to do work and related expressions are to be construed accordingly;

“employment at an establishment in Northern Ireland” is to be construed in accordance with subsections (2) to (5);

“enactment” means any statutory provision within the meaning of section 1(f) of the Interpretation Act (Northern Ireland) 1954;

“government department” means a Northern Ireland department or a department of the Government of the United Kingdom;

“Minister of the Crown” includes the Treasury;

“Northern Ireland department” includes (except in sections 51 and 52) the head of a Northern Ireland department;

“occupational pension scheme” has the same meaning as in the Pension Schemes (Northern Ireland) Act 1993;

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“premises”, includes land of any description;
 “prescribed” means prescribed by regulations;
 “profession” includes any vocation or occupation;
 “provider of services” has the meaning given in section 19(2)(b);
 “public service vehicle” and “regulated public service vehicle” have the meaning given in section 40;
 “PSV accessibility regulations” means regulations made under section 40(1);
 “rail vehicle” and “regulated rail vehicle” have the meaning given in section 46;
 “rail vehicle accessibility regulations” means regulations made under section 46(1);
 “regulations” means—
 (a) in Parts I and II of this Act, section 66, the definition of “employment” above and subsections (3) and (4) below, regulations made by the Department of Economic Development;
 (b) in Part V of this Act, regulations made by the Department of the Environment;
 (c) in any other provision of this Act, regulations made by the Department of Health and Social Services.
 “section 6 duty” means any duty imposed by or under section 6;
 “section 15 duty” means any duty imposed by or under section 15;
 “section 21 duty” means any duty imposed by or under section 21;
 “taxi” and “regulated taxi” have the meaning given in section 32;
 “taxi accessibility regulations” means regulations made under section 32(1);
 “trade” includes any business;
 “trade organisation” has the meaning given in section 13;
 “vehicle examiner” means an officer of the Department of the Environment authorised by that Department for the purposes of sections 41 and 42.”

[^{F298}(2) In section 68—

(a) for subsection (2) substitute— “

(2) Where an employee does his work wholly outside Northern Ireland, his employment is not to be treated as being work at an establishment in Northern Ireland.”; and

(b) in subsections (3) and (4) for “Great Britain” wherever it occurs substitute “Northern Ireland”.]]

Textual Amendments

F297 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279](#), [Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279](#), [art. 16](#)); [S.I. 2010/2317](#), [art. 2\(15\)\(f\)](#) (with arts. 4-25, Schs. 1-16); [S.I. 2011/1066](#), [art. 2\(h\)](#)

F298 [Sch. 8 para. 47\(2\)](#) substituted (N.I.) (9.3.2000) by [S.R. 2000/8](#), [reg. 3](#)

Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995. (See end of Document for details)

48^{F299}(1) In section 70(3) for “Secretary of State” substitute “ Department of Health and Social Services ”.

(2) In section 70(8) for “the Secretary of State” substitute “ a Northern Ireland department ” and for “him” substitute “ it ”.]

Textual Amendments

F299 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279, Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279, art. 16](#)); [S.I. 2010/2317, art. 2\(15\)\(f\)](#) (with arts. 4-25, Schs. 1-16); [S.I. 2011/1066, art. 2\(h\)](#)

49^{F300}(1) In Schedule 1 in paragraph 7(1) for “Act 1944” substitute “ Act (Northern Ireland) 1945 ”.

(2) In Schedule 1 in paragraph 7(7) for “1944” substitute “ 1945 ”.]

Textual Amendments

F300 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279, Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279, art. 16](#)); [S.I. 2010/2317, art. 2\(15\)\(f\)](#) (with arts. 4-25, Schs. 1-16); [S.I. 2011/1066, art. 2\(h\)](#)

50^{F301}(1) In Schedule 3 in paragraph 1—

- (a) for “a conciliation officer” wherever it occurs substitute “ the Agency ”;
- (b) in sub-paragraphs (1) and (4) for “he” substitute “ it ”;
- (c) in sub-paragraph (3) for “the conciliation officer” substitute “ the Agency ”.

(2) In Schedule 3 for paragraph 4(1) substitute—

“(1) In any proceedings under section 8—

- (a) a certificate signed by or on behalf of a Minister of the Crown or a Northern Ireland department and certifying that any conditions or requirements specified in the certificate were imposed by that Minister or that department (as the case may be) and were in operation at a time or throughout a time so specified; or
- (b) a certificate signed by or on behalf of the Secretary of State and certifying that an act specified in the certificate was done for the purpose of safeguarding national security,

shall be conclusive evidence of the matters certified.”.

(3) In Schedule 3 in paragraph 6(1) omit “or a sheriff court”.

(4) In Schedule 3 for paragraph 8(1) substitute—

“(1) In any proceedings under section 25—

- (a) a certificate signed by or on behalf of a Minister of the Crown or a Northern Ireland department and certifying that any conditions or requirements specified in the certificate were imposed by that Minister or that department (as the case may be) and were in operation at a time or throughout a time so specified; or

Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995. (See end of Document for details)

- (b) a certificate signed by or on behalf of the Secretary of State and certifying that an act specified in the certificate was done for the purpose of safeguarding national security, shall be conclusive evidence of the matters certified.”.]

Textual Amendments

F301 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279](#), [Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279](#), [art. 16](#)); [S.I. 2010/2317](#), [art. 2\(15\)\(f\)](#) (with arts. 4-25, Schs. 1-16); [S.I. 2011/1066](#), [art. 2\(h\)](#)

51 [F302(1) In Schedule 4 in paragraphs 2(1) and (5) and 7(1) and (5) omit “or sisted”.

- (2) In Schedule 4 in paragraph 4 for “Secretary of State” substitute “ Department of Economic Development ”.
- (3) In Schedule 4 in paragraph 6(1) omit “or, in Scotland, to the sheriff”.
- (4) In Schedule 4 omit paragraph 6(2).
- (5) In Schedule 4 in paragraph 9 for “Secretary of State” substitute “ Department of Health and Social Services ”.]

Textual Amendments

F302 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279](#), [Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279](#), [art. 16](#)); [S.I. 2010/2317](#), [art. 2\(15\)\(f\)](#) (with arts. 4-25, Schs. 1-16); [S.I. 2011/1066](#), [art. 2\(h\)](#)

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Textual Amendments

F303 [Sch. 8 para. 52](#) repealed (N.I.) (25.4.2000) by [S.I. 2000/1110 \(N.I. 2\)](#), [art. 16](#), [Sch. 2](#) (with [art. 17](#)); [S.R. 2000/140](#), [art. 2](#), [Sch. Appendix](#)

F304 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279](#), [Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279](#), [art. 16](#)); [S.I. 2010/2317](#), [art. 2\(15\)\(f\)](#) (with arts. 4-25, Schs. 1-16); [S.I. 2011/1066](#), [art. 2\(h\)](#)

53 [F305 For Schedules 6 and 7 substitute—

“SCHEDULE 6

CONSEQUENTIAL AMENDMENTS

The Industrial Relations (Northern Ireland) Order 1976 (NI 16)

- 1 In Article 68(6) of the Industrial Relations (Northern Ireland) Order 1976 (reinstatement or re-engagement of dismissed employees)—

Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995. (See end of Document for details)

- (a) in the definition of “relevant complaint of dismissal”, omit “or” and at the end insert “ or a complaint under section 8 of the Disability Discrimination Act 1995 arising out of a dismissal ”;
- (b) in the definition of “relevant conciliation powers”, omit “or” and at the end insert “ or paragraph 1 of Schedule 3 to the Disability Discrimination Act 1995 ”;
- (c) in the definition of “relevant compromise contract” for “or Article” substitute “ Article ” and at the end insert “ or section 9(2) of the Disability Discrimination Act 1995 ”.

The Companies (Northern Ireland) Order 1986 (NI 6)

3 F306

SCHEDULE 7

REPEALS

Chapter	Short title	Extent of repeal
1945 c. 6 (N.I.)	The Disabled Persons (Employment) Act (Northern Ireland) 1945.	Sections 1 to 4. Sections 6 to 14. In section 16 the words “vocational training and industrial rehabilitation courses and”, the words “courses and” and the words from “and in selecting” to “engagement”. Section 19. Section 21. Section 22.
1960 c. 4 (N.I.)	The Disabled Persons (Employment) Act (Northern Ireland) 1960.	The whole Act.
1976 NI16	The Industrial Relations (Northern Ireland) Order 1976.	In Article 68(6) the word “or” in the definitions of “relevant complaint of dismissal” and “relevant conciliation powers”.”]

Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995. (See end of Document for details)

Textual Amendments

- F305** Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279](#), [Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279](#), [art. 16](#)); [S.I. 2010/2317](#), [art. 2\(15\)\(f\)](#) (with arts. 4-25, Schs. 1-16); [S.I. 2011/1066](#), [art. 2\(h\)](#)
- F306** Sch. 8 para. 53: para. 3 of the substituted Sch. 6 repealed (1.10.2009) by [The Companies Act 2006 \(Consequential Amendments, Transitional Provisions and Savings\) Order 2009 \(S.I. 2009/1941\)](#), art. 2(2), [Sch. 2](#) (with art. 10)

Changes to legislation:

There are currently no known outstanding effects for the Disability Discrimination Act 1995.