

Status: There are multiple versions of this provision on screen. These apply to different geographical extents. Skip to: E+W+S - England, Wales and Scotland extent N.I. - Northern Ireland extent

Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995, Section 18D. (See end of Document for details)



Disability Discrimination Act 1995

1995 CHAPTER 50

PART II

[^{F1}THE EMPLOYMENT FIELD][^{F2} AND DISTRICT COUNCILS][^{F3} AND MEMBERS OF LOCALLY-ELECTABLE AUTHORITIES]

[^{F4}Supplementary and general

[^{F4}
^{F5}18D

Interpretation of Part 2 **E+W+S**

[^{F6}]]

Extent Information

- E1** This section extended to England, Wales and Scotland only; a separate s. 18D exists for Northern Ireland only.

Textual Amendments

- F4** Cross-heading "Supplementary and General" inserted (3.7.2003 for E.W.S. for certain purposes and 21.2.2004 for N.I. for certain purposes, and 1.10.2004 otherwise) by [The Disability Discrimination Act 1995 \(Amendment\) Regulations 2003 \(S.I. 2003/1673\)](#), regs. 1(2)(3), **17(1)**; The Disability Discrimination Act 1995 (Amendment) Regulations (Northern Ireland) 2004 (S.R. 2004/55), regs. 1(2)(3), {17(1)}
- F5** S. 18D inserted (E.W.S.) (3.7.2003 for certain purposes and 1.10.2004 otherwise) by [The Disability Discrimination Act 1995 \(Amendment\) Regulations 2003 \(S.I. 2003/1673\)](#), regs. 1(2)(3), **18**
- F6** Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27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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^{F4}
^{F7} **18D** **Interpretation of Part II** **N.I.**

- (1) Subject to any duty to make reasonable adjustments, nothing in this Part is to be taken to require a person to treat a disabled person more favourably than he treats or would treat others.
- (2) In this Part –
- “benefits”, except in sections 4G to 4K, includes facilities and services;
 - “detriment”, except in section 16C(2)(b), does not include conduct of the nature referred to in section 3B (harassment);
 - “discriminate”, “discrimination” and other related expressions are to be construed in accordance with section 3A;
 - “duty to make reasonable adjustments” means a duty imposed by or under section 4A, 4B(5) or (6), 4E, 4H, 6B, 7B, 14, 14B, 14D [^{F8}, 15C] or 16A(5);
 - “employer” includes a person who has no employees but is seeking to employ another person;
 - “harassment” is to be construed in accordance with section 3B;
 - “physical feature”, in relation to any premises, includes [^{F9}(subject to any provision under section 15C(4)(e))] any of the following (whether permanent or temporary) –
 - (a) any feature arising from the design or construction of a building on the premises,
 - (b) any feature on the premises of any approach to, exit from or access to such a building,
 - (c) any fixtures, fittings, furnishings, furniture, equipment or material in or on the premises,
 - (d) any other physical element or quality of any land comprised in the premises;
 - “provision, criterion or practice” includes any arrangements.]]

Extent Information

- E2** This section extends to Northern Ireland only; a separate s. 18D for England, Wales and Scotland only repealed (1.10.2010).

Textual Amendments

- F7** S. 18D inserted (N.I.) (21.2.2004 for certain purposes and 1.10.2004 otherwise) by [The Disability Discrimination Act 1995 \(Amendment\) Regulations \(Northern Ireland\) 2004](#) (S.R. 2004/55), regs. 1(2)(3), **18**
- F8** 18D(2): word in definition of "duty to make reasonable adjustments" inserted (31.12.2007) by [Disability Discrimination \(Northern Ireland\) Order 2006](#) (S.I. 2006/312 (N.I. 1)), arts. 1, 19(1), **Sch. 1 para. 10(a)**; S.R. 2007/466, **art. 2(2)(I)**
- F9** 18D(2): words in definition of "physical feature" inserted (31.12.2007) by [Disability Discrimination \(Northern Ireland\) Order 2006](#) (S.I. 2006/312 (N.I. 1)), arts. 1, 19(1), **Sch. 1 para. 10(b)**; S.R. 2007/466, **art. 2(2)(I)**

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