



Disability Discrimination Act 1995

1995 CHAPTER 50

PART III

DISCRIMINATION IN OTHER AREAS

Goods, facilities and services

19 Discrimination in relation to goods, facilities and services.

- [^{F1}(1) It is unlawful for a provider of services to discriminate against a disabled person—
- (a) in refusing to provide, or deliberately not providing, to the disabled person any service which he provides, or is prepared to provide, to members of the public;
 - (b) in failing to comply with any duty imposed on him by section 21 in circumstances in which the effect of that failure is to make it impossible or unreasonably difficult for the disabled person to make use of any such service;
 - (c) in the standard of service which he provides to the disabled person or the manner in which he provides it to him; or
 - (d) in the terms on which he provides a service to the disabled person.
- (2) For the purposes of this section and sections 20 [^{F2}to 21ZA]—
- (a) the provision of services includes the provision of any goods or facilities;
 - (b) a person is “a provider of services” if he is concerned with the provision, in the United Kingdom, of services to the public or to a section of the public; and
 - (c) it is irrelevant whether a service is provided on payment or without payment.
- (3) The following are examples of services to which this section and sections 20 and 21 apply—
- (a) access to and use of any place which members of the public are permitted to enter;
 - (b) access to and use of means of communication;
 - (c) access to and use of information services;

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- (d) accommodation in a hotel, boarding house or other similar establishment;
- (e) facilities by way of banking or insurance or for grants, loans, credit or finance;
- (f) facilities for entertainment, recreation or refreshment;
- (g) facilities provided by employment agencies or under ^{F3}sections 1 and 2 of the Employment and Training Act (Northern Ireland) 1950];
- (h) the services of any profession or trade, or any local or other public authority.

(4) In the case of an act which constitutes discrimination by virtue of section 55, this section also applies to discrimination against a person who is not disabled.

^{F4}(4A) Subsection (1) does not apply to anything that is governed by Regulation (EC) No. 1107/2006 of the European Parliament and of the Council of 5 July 2006 concerning the rights of disabled persons and persons with reduced mobility when travelling by air.]

^{F5}(5) Regulations may provide for subsection (1) and section 21(1), (2) and (4) not to apply, or to apply only to a prescribed extent, in relation to a service of a prescribed description.]

^{F6}(6) Nothing in this section or sections 20 to 21A applies to the provision of a service in relation to which discrimination is unlawful under Part III of the 2005 Order.]]

Extent Information

E1 E Note: Following the repeal of this Act for E.W.S. by the Equality Act 2010, this section now extends to N.I. only. Prior to that repeal, different versions of this section 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

- 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** Words in s. 19(2) substituted (N.I.) (3.7.2006) by [The Disability Discrimination \(Northern Ireland\) Order 2006 \(S.I. 2006/312 \(N.I. 1\)\)](#), arts. 1, 19(1), [Sch. 1 para. 12\(2\)](#); [S.R. 2006/289](#), [art. 2\(1\)\(b\)](#)
- F3** Words in s. 19(3)(g) substituted (N.I.) by virtue of s. 70(6), Sch. 8 para. 9(1) of this Act
- F4** [S. 19\(4A\)](#) inserted (26.7.2007) by [The Civil Aviation \(Access to Air Travel for Disabled Persons and Persons with Reduced Mobility\) Regulations \(S.I. 2007/1895\)](#), regs. 1(2), {8}
- F5** [S. 19\(5\)](#) substituted (N.I.) (3.7.2006) by [The Disability Discrimination \(Northern Ireland\) Order 2006 \(S.I. 2006/312 \(N.I. 1\)\)](#), arts. 1, 19(1), [Sch. 1 para. 12\(3\)](#); [S.R. 2006/289](#), [art. 2\(1\)\(b\)](#)
- F6** [S. 19\(6\)](#) substituted (N.I.) (31.12.2007) by [The Disability Discrimination \(Northern Ireland\) Order 2006 \(S.I. 2006/312 \(N.I. 1\)\)](#), arts. 1, 19(1), [Sch. 1 para. 12\(4\)](#); [S.R. 2007/466](#), [art. 2\(2\)\(m\)](#) (Note: by [Education Act \(Northern Ireland\) 2014 \(c. 12\)](#), Sch. 3 para. 13; [S.R. 2015/35](#), [art. 2\(b\)](#)) it is expressed that in section 19(6) "for paragraph (a)" there should be substituted (1.4.2015) "(a) the Education Authority")

Commencement Information

I1 [S. 19](#) wholly in force at 1.10.1999; [s. 19](#) not in force at Royal Assent see [s. 70\(3\)](#); [s. 19\(5\)\(c\)](#) in force (E.W.S.) at 6.6.1996 by [S.I. 1996/1474](#), [art. 2\(1\)](#), [Sch. Pt. I](#); [s. 19\(5\)\(c\)](#) in force (N.I.) at 10.7.1996 by [S.R. 1996/280](#), [art. 2\(1\)](#), [Sch. Pt. I s.19\(1\)\(a\)\(c\)\(d\)\(2\)\(3\)\(4\)\(5\)\(a\)\(b\)\(6\)](#) in force (E.W.S.) at 2.12.1996 by [S.I. 1996/1474](#), [art. 2\(3\)](#), [Sch. Pt. III](#); [s. 19\(1\)\(a\)\(c\)\(d\)\(2\)\(3\)\(4\)\(5\)\(a\)\(b\)\(6\)](#) in force (N.I.) at

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2.12.1996 by S.R. 1996/280, art. 2(2), **Sch. Pt. II**; s. 19(1)(b) in force (E.W.S.) at 1.10.1999 by S.I. 1999/1190, **art. 5(c)**; s. 19(1)(b) in force (N.I.) at 1.10.1999 by S.R. 1999/196, **art. 4(c)**

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