

*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 24K. (See end of Document for details)*



# Disability Discrimination Act 1995

## 1995 CHAPTER 50

### PART III

#### DISCRIMINATION IN OTHER AREAS

##### *Premises*

[<sup>F1</sup>24K Let premises and premises that are to let: justification **E+W+S**

<sup>F2</sup> .....]

#### **Extent Information**

**E1** This section extended to England, Wales and Scotland only; a separate s. 24K exists for Northern Ireland only.

#### **Textual Amendments**

**F1** [S. 24A-24L](#) inserted (E.W.S.) (30.6.2005 for ss. 24K and 24L for certain purposes only, otherwise 4.12.2006 for all provisions) by [Disability Discrimination Act 2005 \(c. 13\)](#), **ss. 13, 20(3)-(6)**; [S.I. 2005/1676](#), **art. 2(2)(d)**; [S.I. 2005/2774](#), **art. 4(b)**

**F2** Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27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)**

[<sup>F3</sup>24K Let premises and premises to let: justification **N.I.**

(1) For the purposes of sections 24A(2) and 24G(2), a person's failure to comply with a duty is justified only if—

- (a) in his opinion, a condition mentioned in subsection (2) is satisfied; and
- (b) it is reasonable, in all the circumstances of the case, for him to hold that opinion.

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(2) The conditions are—

- (a) that it is necessary to refrain from complying with the duty in order not to endanger the health or safety of any person (which may include that of the disabled person concerned);
- (b) that the disabled person concerned is incapable of entering into an enforceable agreement, or of giving informed consent, and for that reason the failure is reasonable.

(3) Regulations may—

- (a) make provision, for purposes of this section, as to circumstances in which it is, or as to circumstances in which it is not, reasonable for a person to hold the opinion mentioned in subsection (1)(a);
- (b) amend or omit a condition specified in subsection (2) or make provision for it not to apply in prescribed circumstances;
- (c) make provision, for purposes of this section, as to circumstances (other than any for the time being mentioned in subsection (2)) in which a failure is to be taken to be justified.]

#### **Extent Information**

- E2** This section extends to Northern Ireland only; a separate s. 24K for England, Wales and Scotland only repealed (1.10.2010).

#### **Textual Amendments**

- F3** Ss. 24A-24L inserted (N.I.) (3.7.2006 for ss. 24K and 24L for certain purposes only and 31.12.2007 for all provisions insofar as not already in force) by [The Disability Discrimination \(Northern Ireland\) Order 2006 \(S.I. 2006/312 \(N.I. 1\)\)](#), arts. 1, 14; S.R. 2006/289, [art. 2\(2\)\(c\)](#); S.R. 2007/466, [art. 2\(2\)\(h\)](#)

#### **Modifications etc. (not altering text)**

- C1** S. 24K(2)(b) excluded (N.I.) (31.12.2007) by [The Disability Discrimination \(Premises\) Regulations \(Northern Ireland\) 2007 \(S.R. 2007/474\)](#), [reg. 2](#)

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**Skip to:**

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- N.I. - Northern Ireland extent

**Changes to legislation:**

There are currently no known outstanding effects for the Disability Discrimination Act 1995, Section 24K.