



Disability Discrimination Act 1995

1995 CHAPTER 50

PART III

DISCRIMINATION IN OTHER AREAS

Enforcement, etc.

26 Validity and revision of certain agreements.

[^{F1}(1) Any term in a contract for the provision of goods, facilities or services or in any other agreement is void so far as it purports to—

- (a) require a person to do anything which would contravene any provision of, or made under, this Part,
- (b) exclude or limit the operation of any provision of this Part, or
- (c) prevent any person from making a claim under this Part.

[^{F2}(1A) Subsection (1) does not apply to—

- (a) any term in a contract for the provision of employment services;
- (b) any term in a contract which is a group insurance arrangement; or
- (c) a term which—
 - (i) is in an agreement which is not a contract of either of those kinds, and
 - (ii) relates to the provision of employment services or the provision under a group insurance arrangement of facilities by way of insurance.]

(2) Paragraphs (b) and (c) of subsection (1) do not apply to an agreement settling a claim to which section 25 applies.

(3) On the application of any person interested in an agreement to which subsection (1) applies, a county court or a sheriff court may make such order as it thinks just for modifying the agreement to take account of the effect of subsection (1).

(4) No such order shall be made unless all persons affected have been—

- (a) given notice of the application; and

Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995, Section 26. (See end of Document for details)

- (b) afforded an opportunity to make representations to the court.
- (5) Subsection (4) applies subject to any rules of court providing for that notice to be dispensed with.
- (6) An order under subsection (3) may include provision as respects any period before the making of the order.]

Extent Information

- E1** Following the repeal of this Act for E.W.S. by the Equality Act 2010, this section now extends to Northern Ireland only and also has effect subject to the modifications for Northern Ireland set out in Sch. 8; see [s. 70\(6\)](#)

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- F1** Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27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** [S. 26\(1A\)](#) substituted (E.W.S.) (5.12.2005) by [Disability Discrimination Act 2005 \(c. 13\)](#), ss. 19(1), 20(3)-(6), [Sch. 1 para. 22](#); [S.I. 2005/2774](#), [art. 3\(j\)](#) and the same sub-provision 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. 19](#); [S.R. 2007/466](#), [art. 2\(2\)\(I\)](#)

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