



# Disability Discrimination Act 1995

## 1995 CHAPTER 50

### PART III

#### DISCRIMINATION IN OTHER AREAS

##### *Enforcement, etc.*

#### **27 Alterations to premises occupied under leases.**

[<sup>F1</sup>(1) This section applies where—

- (a) a provider of services [<sup>F2</sup>, a public authority (within the meaning given by section 21B) or an association to which section 21F applies] (“the occupier”) occupies premises under a lease;
- (b) but for this section, [<sup>F3</sup>the occupier] would not be entitled to make a particular alteration to the premises; and
- (c) the alteration is one which the occupier proposes to make in order to comply with a section 21 duty [<sup>F4</sup>or a duty imposed under section 21E or 21H].

(2) Except to the extent to which it expressly so provides, the lease shall have effect by virtue of this subsection as if it provided—

- (a) for the occupier to be entitled to make the alteration with the written consent of the lessor;
- (b) for the occupier to have to make a written application to the lessor for consent if he wishes to make the alteration;
- (c) if such an application is made, for the lessor not to withhold his consent unreasonably; and
- (d) for the lessor to be entitled to make his consent subject to reasonable conditions.

(3) In this section—

“lease” includes a tenancy, sub-lease or sub-tenancy and an agreement for a lease, tenancy, sub-lease or sub-tenancy; and

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*Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995, Section 27. (See end of Document for details)*

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“sub-lease” and “sub-tenancy” have such meaning as may be prescribed.

(4) If the terms and conditions of a lease—

- (a) impose conditions which are to apply if the occupier alters the premises, or
- (b) entitle the lessor to impose conditions when consenting to the occupier’s altering the premises,

the occupier is to be treated for the purposes of subsection (1) as not being entitled to make the alteration.

(5) Part II of Schedule 4 supplements the provisions of this section.]

#### Extent Information

- E1** Following the repeal of this Act for E.W.S. by the Equality Act 2010, this section now extends to N.I. only.

#### 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- F1** Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27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. 27\(1\)\(a\)](#) inserted (E.W.S.) (30.6.2005 for certain purposes and 4.12.2006 insofar as not yet in force) by [Disability Discrimination Act 2005 \(c. 13\)](#), ss. 19(1), 20(3)-(6), [Sch. 1 para. 23\(a\)](#); [S.I. 2005/1676](#), [art. 2\(2\)\(g\)](#); [S.I. 2005/2774](#), [art. 4\(f\)](#) and said words inserted (N.I.) (3.7.2006 for certain purposes and 31.12.2007 insofar as not yet in force) by [The Disability Discrimination \(Northern Ireland\) Order 2006 \(S.I. 2006/312 \(N.I. 1\)\)](#), arts. 1, 19(1), [Sch. 1 para. 20\(a\)](#); [S.R. 2006/289](#), [art. 2\(2\)\(f\)](#); [S.R. 2007/466](#), [art. 2\(2\)\(m\)](#)
- F3** Words in [s. 27\(1\)\(b\)](#) substituted (E.W.S.) (30.6.2005 for certain purposes and 4.12.2006 insofar as not yet in force) by [Disability Discrimination Act 2005 \(c. 13\)](#), ss. 19(1), 20(3)-(6), [Sch. 1 para. 23\(b\)](#); [S.I. 2005/1676](#), [art. 2\(2\)\(g\)](#); [S.I. 2005/2774](#), [art. 4\(f\)](#) and said words inserted (N.I.) (3.7.2006 for certain purposes and 31.12.2007 insofar as not yet in force) by [The Disability Discrimination \(Northern Ireland\) Order 2006 \(S.I. 2006/312 \(N.I. 1\)\)](#), arts. 1, 19(1), [Sch. 1 para. 20\(b\)](#); [S.R. 2006/289](#), [art. 2\(2\)\(f\)](#); [S.R. 2007/466](#), [art. 2\(2\)\(m\)](#)
- F4** Words in [s. 27\(1\)\(c\)](#) inserted (E.W.S.) (30.6.2005 for certain purposes and 4.12.2006 insofar as not yet in force) by [Disability Discrimination Act 2005 \(c. 13\)](#), ss. 19(1), 20(3)-(6), [Sch. 1 para. 23\(c\)](#); [S.I. 2005/1676](#), [art. 2\(2\)\(g\)](#); [S.I. 2005/2774](#), [art. 4\(f\)](#) and said words inserted (N.I.) (3.7.2006 for certain purposes and 31.12.2007 insofar as not yet in force) by [The Disability Discrimination \(Northern Ireland\) Order 2006 \(S.I. 2006/312 \(N.I. 1\)\)](#), arts. 1, 19(1), [Sch. 1 para. 20\(c\)](#); [S.R. 2006/289](#), [art. 2\(2\)\(f\)](#); [S.R. 2007/466](#), [art. 2\(2\)\(m\)](#)

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

- C1** [S. 27](#) modified (1.10.2004) by [S.I. 2001/3253](#), [reg. 9](#)
- C2** [S. 27](#) 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](#)

#### Commencement Information

- I1** [S. 27](#) wholly in force at 1.10.2004; [s. 27](#) not in force at Royal Assent see [s. 70\(3\)](#); [s. 27\(3\)](#) wholly in force and [s. 27\(5\)](#) in force for specified purposes (E.W.S.) at 9.5.2001 by [S.I. 2001/2030](#), [art. 2\(a\)\(b\)](#); [s. 27\(3\)](#) wholly in force and [s. 27\(5\)](#) in force for specified purposes (N.I.) at 31.12.2001 by [S.R. 2001/439](#), [art. 2\(1\)\(a\)\(b\)](#); [s. 27\(1\)\(2\)\(4\)](#) wholly in force and [s. 27\(5\)](#) in force to the extent that it is not already in force at 1.10.2004 by [S.I. 2001/2030](#), [art. 3\(b\)](#) and [S.R. 2001/439](#), [art. 2\(2\)\(b\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Disability Discrimination Act 1995, Section 27.