



# Disability Discrimination Act 1995

## 1995 CHAPTER 50

### PART II

[<sup>F1</sup>THE EMPLOYMENT FIELD][<sup>F2</sup> AND DISTRICT  
COUNCILS][<sup>F3</sup> AND MEMBERS OF LOCALLY-ELECTABLE AUTHORITIES]

[<sup>F4</sup>Employment]

[<sup>F5</sup>4A **Employers: duty to make adjustments** **E+W+S**

<sup>F6</sup> .....]

#### Extent Information

**E1** This section extends to England and Wales and Scotland only until 1.10.2010; a separate s. 4A exists for Northern Ireland only from 21.2.2004 .

#### Textual Amendments

**F5** Ss. 4-4F and cross-headings substituted for ss. 4-6 (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), **5**

**F6** Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27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)**

[<sup>F7</sup>4A **Employers: duty to make adjustments** **N.I.**

(1) Where –

- (a) a provision, criterion or practice applied by or on behalf of an employer, or
- (b) any physical feature of premises occupied by the employer,

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**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 4A. (See end of Document for details)*

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places the disabled person concerned at a substantial disadvantage in comparison with persons who are not disabled, it is the duty of the employer to take such steps as it is reasonable, in all the circumstances of the case, for him to have to take in order to prevent the provision, criterion or practice, or feature, having that effect.

- (2) In subsection (1), “the disabled person concerned” means –
- (a) in the case of a provision, criterion or practice for determining to whom employment should be offered, any disabled person who is, or has notified the employer that he may be, an applicant for that employment;
  - (b) in any other case, a disabled person who is –
    - (i) an applicant for the employment concerned, or
    - (ii) an employee of the employer concerned.
- (3) Nothing in this section imposes any duty on an employer in relation to a disabled person if the employer does not know, and could not reasonably be expected to know –
- (a) in the case of an applicant or potential applicant, that the disabled person concerned is, or may be, an applicant for the employment; or
  - (b) in any case, that that person has a disability and is likely to be affected in the way mentioned in subsection (1).]

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**Extent Information**

**E2** This section extends to Northern Ireland only; a separate s. 4A exists for England, Wales and Scotland only until 1.10.2010.

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**Textual Amendments**

**F7** [Ss. 4-4K](#) and cross-headings substituted for s. 4 (N.I.) (21.2.2004 for certain purposes and 1.10.2004 otherwise) by The Disability Discrimination Act 1995 (Amendment) Regulations (Northern Ireland) 2004, regs. 1(2)(3), {5(1)}

**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 4A.