



# 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>[<sup>F5</sup>Office-holders]

[<sup>F5</sup>4C **Office-holders: introductory** **E+W+S**

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

#### Extent Information

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

#### Textual Amendments

**F5** Ss. 4-4F and cross-headings substituted for ss. 4-6 and preceding cross-heading (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(1)**

**F6** Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27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>4C **Office-holders: introductory** **N.I.**

- (1) Subject to subsection (5), sections 4D and 4E apply to an office or post if –
  - (a) no relevant provision of this Part applies in relation to an appointment to the office or post; and
  - (b) one or more of the conditions specified in subsection (3) is satisfied.

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

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- (2) The following are relevant provisions of this Part for the purposes of subsection (1)(a): section 4, section 4B, section 6A, section 7A [<sup>F8</sup>, section 14C and section 15B(3)(b)].
- (3) The conditions specified in this subsection are that –
- (a) the office or post is one to which persons are appointed to discharge functions personally under the direction of another person, and in respect of which they are entitled to remuneration;
  - (b) the office or post is one to which appointments are made by a Minister of the Crown, a Northern Ireland Minister or a government department;
  - (c) the office or post is one to which appointments are made on the recommendation of, or subject to the approval of, a body or person referred to in paragraph (b) or the Assembly.
- (4) For the purposes of subsection (3)(a) the holder of an office or post –
- (a) is to be regarded as discharging his functions under the direction of another person if that other person is entitled to direct him as to when and where he discharges those functions;
  - (b) is not to be regarded as entitled to remuneration merely because he is entitled to payments –
    - (i) in respect of expenses incurred by him in carrying out the functions of the office or post, or
    - (ii) by way of compensation for the loss of income or benefits he would or might have received from any person had he not been carrying out the functions of the office or post.
- (5) Sections 4D and 4E do not apply to –
- (a) any office of the House of Commons held by a member of it;
  - (b) a life peerage within the meaning of the Life Peerages Act 1958 <sup>F9</sup>, or any office of the House of Lords held by a member of it;
  - (c) any office mentioned in Schedule 2 (Ministerial offices) to the House of Commons Disqualification Act 1975;
  - (d) any office of the Assembly held by a member of it;
  - (e) any office of a district council held by a member of it; or
  - (f) any office of a political party.]

#### **Extent Information**

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

#### **Textual Amendments**

- F7** [Ss. 4-4K](#) and cross-headings substituted for s. 4 and preceding cross-heading (N.I.) (21.2.2004 for certain purposes and 1.10.2004 otherwise) by [The Disability Discrimination Act 1995 \(Amendment\) Regulations \(Northern Ireland\) 2004 \(S.R. 2004/55\)](#), regs. 1(2)(3), **5(1)**
- F8** Words in [s. 4C\(2\)](#) substituted (N.I) (31.12.2007) by [The Disability Discrimination \(Northern Ireland\) Order \(S.I. 2006/312 \(N.I. 1\)\)](#), arts. 1, 19(1), {Sch. 1 para. 5}; [S.R. 2007/466](#), **art. 2(2)(I)**
- F9** [1958 c. 21](#)

**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 4C.