

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 4H. (See end of Document for details)



Disability Discrimination Act 1995

1995 CHAPTER 50

PART II

[^{F1}THE EMPLOYMENT FIELD][^{F2} AND DISTRICT COUNCILS][^{F3} AND MEMBERS OF LOCALLY-ELECTABLE AUTHORITIES]

^{F4}[^{F5}Occupational pension schemes]

[^{F6}4H Occupational pension schemes: duty to make adjustments **E+W+S**

^{F7}.....]

Extent Information

E1 This section extended to England, Wales and Scotland only; a separate s. 4H exists for Northern Ireland only

Textual Amendments

F6 Ss. 4G-4K and cross-heading inserted (E.W.S.) (1.12.2003 for certain purposes, otherwise 1.10.2004) by [The Disability Discrimination Act 1995 \(Pensions\) Regulations 2003 \(S.I. 2003/2770\)](#), **regs. 1(2)(3)**{3}

F7 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27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)**

[^{F4}4H Occupational pension schemes: duty to make adjustments **N.I.**

(1) Where –

- (a) a provision, criterion or practice (including a scheme rule) applied by or on behalf of the trustees or managers of an occupational pension scheme, or
- (b) any physical feature of premises occupied by the trustees or managers,

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

- (2) The making of alterations to scheme rules is (in addition to the examples set out in section 18B(2)) an example of a step which trustees or managers may have to take in order to comply with the duty set out in subsection (1).
- (3) Nothing in subsection (1) imposes any duty on trustees or managers in relation to a disabled person if they do not know, and could not reasonably be expected to know –
- (a) that the disabled person is a relevant disabled person; or
 - (b) that that person has a disability and is likely to be affected in the way mentioned in subsection (1).]

Extent Information

E2 This section extends to Northern Ireland only; a separate s. 4H for England, Wales and Scotland only repealed (1.10.2010).

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