

# **DISABILITY DISCRIMINATION ACT 2005**

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## **EXPLANATORY NOTES**

### **COMMENTARY ON SECTIONS**

#### ***Section 14: Power to modify or end small dwellings exemption***

159. **Section 14** confers a power on the Secretary of State to amend, by order, the exemption for small dwellings for the purpose of: adding to the conditions for entitlement to the exemptions provided for in sections 23, 24B and 24H; making any of the conditions for entitlement to those exemptions more onerous; making the conditions for entitlement to those exemptions more onerous overall; otherwise restricting the cases in which any of those exemptions is available; or removing those exemptions.
160. The small dwellings exemption is set out in section 23 and new section 24B(3) and (4) and new section 24H(3) and (4) of the DDA (as inserted by section 13). Broadly speaking, the exemption applies where the landlord or manager shares living accommodation with those not of his own household and either the landlord or manager lets out accommodation in the premises to not more than two other households, or there is not normally residential accommodation on the premises for more than six persons in addition to the landlord or manager and members of his household.
161. Where the exemption applies, the provisions of section 22 and new sections 24A and 24G of the DDA do not apply.
162. Any order to modify or end any of those exemptions relating to small dwellings is subject to the affirmative resolution procedure, i.e. the order must be laid in draft before, and approved by a resolution of, each House of Parliament.