

*These notes refer to the Disability Discrimination Act
2005 (c.13) which received Royal Assent on 7 April 2005*

DISABILITY DISCRIMINATION ACT 2005

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Schedule 1

Minor and Consequential Amendments

Part 1

Amendments to the DDA 1995

Paragraph 18

202. This paragraph amends section 23 (but see also the power conferred by section 14 to restrict or repeal section 23). Section 23 provides for an exemption from section 22 of the DDA (discrimination in relation to premises) for small dwellings. The exemption applies where a landlord or manager (referred to as the “relevant occupier”) lives on premises which, in addition to accommodation for himself and members of his household, either consist of residential accommodation for not more than six persons or consist of residential accommodation for not more than two other households. Subsection (6) of section 23 defines who the “relevant occupier” is for the purposes of that section. However that subsection omits to spell out who is the “relevant occupier” for the purposes of applying the small dwellings exemption to section 22(3) (discrimination by a manager of premises). The amendment will provide that the “relevant occupier” for the purposes of applying the exemption to section 22(3) is the person managing the premises or a near relative of his.