
STATUTORY INSTRUMENTS

2003 No. 1673

**The Disability Discrimination Act
1995 (Amendment) Regulations 2003**

PART 3

**CONSEQUENTIAL AMENDMENTS TO
THE 1999 ACT AND OTHER LEGISLATION**

Consequential amendments to the 1999 Act

30. In the 1999 Act—

- (a) in section 2 (general functions)—
 - (i) in subsection (1)(a), after “discrimination against” insert “and harassment of”;
 - (ii) in subsection (5)(1), in the appropriate place, insert the following—

“harassment” means anything which is harassment for the purposes of any provision of Part 2 or 3 of the 1995 Act;”;
- (b) in subsection (5) of section 4(2) (non-discrimination notices), omit “discrimination”;
- (c) in subsection (11) of section 5(3) (agreements in lieu of enforcement action), omit “discrimination”;
- (d) in section 6 (persistent discrimination)—
 - (i) in subsection (1)(b) (as substituted by paragraphs 1 and 5 of Schedule 7 to the Special Educational Needs and Disability Act 2001), for “section 8” substitute “section 17A”;
 - (ii) in subsection (4)(4), after “unlawful discrimination” insert “or harassment”;
- (e) in subsection (1)(a) of section 7(5) (assistance in relation to proceedings)—
 - (i) for “section 8” substitute “section 17A”;
 - (ii) after “unlawful discrimination” insert “or harassment”;
- (f) in paragraph 3(10)(6) of Schedule 3 (investigation of unlawful acts etc), omit “discrimination”.

Consequential amendments to other legislation

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- (1) Subsection (5) was amended by the Special Educational Needs and Disability Act 2001 (c. 10), s.35, Sch.7, paras 1 and 2.
 - (2) Section 4(5) was amended by the Special Educational Needs and Disability Act 2001 s.35, Sch.7, paras 1 and 3.
 - (3) Section 5(11) was amended by the Special Educational Needs and Disability Act 2001 s.35, Sch.7, paras 1 and 4.
 - (4) Subsection (4) of section 6 was amended by the Special Educational Needs and Disability Act 2001 s.35, Sch.7, paras 1 and 6.
 - (5) Section 7(1)(a) was amended by the Special Educational Needs and Disability Act 2001 s.35, Sch.7, paras 1 and 8.
 - (6) Paragraph 3(10) of Schedule 3 was amended by the Special Educational Needs and Disability Act 2001 s.35, Sch.7, paras 1 and 9.

(1) In section 7 of the Local Government and Housing Act 1989⁽⁷⁾ (all staff of a local authority etc to be appointed on merit), in subsection (2), for paragraph (f) substitute—

“(f) sections 4, 4A, 4D and 4E of the Disability Discrimination Act 1995 (discrimination and duties to make adjustments in relation to employees and office-holders).”

(2) In sections 12(1) (restriction of publicity in disability cases) and 18(1)(c) (conciliation) of the Employment Tribunals Act 1996⁽⁸⁾, for “section 8” substitute “section 17A or 25(8)”.

(3) In the Employment Act 2002⁽⁹⁾, in Schedules 3, 4 and 5, for “Section 8 of the Disability Discrimination Act 1995” (in each place it occurs) substitute “Section 17A of the Disability Discrimination Act 1995”.

(4) In the Employment Tribunals (Constitution and Rules of Procedure) (Scotland) Regulations 2001⁽¹⁰⁾, Schedule 1, in rule 16(2), for “section 8” substitute “section 17A or 25(8)”.

(5) In the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2001⁽¹¹⁾, Schedule 1, in rule 16(2), for “section 8” substitute “section 17A or 25(8)”.

(7) 1989 c. 42.

(8) 1996 c. 17.

(9) 2002 c. 22.

(10) S.I. 2001/1170.

(11) S.I. 2001/1171.