



Disability Discrimination Act 1995

1995 CHAPTER 50

PART V

PUBLIC TRANSPORT

Supplemental

48 Offences by bodies corporate etc.

- (1) Where an offence under section 40 or 46 committed by a body corporate is committed with the consent or connivance of, or is attributable to any neglect on the part of, a director, manager, secretary or other similar officer of the body, or a person purporting to act in such a capacity, he as well as the body corporate is guilty of the offence.
- (2) In subsection (1) “director”, in relation to a body corporate whose affairs are managed by its members, means a member of the body corporate.
- (3) Where, in Scotland, an offence under section 40 or 46 committed by a partnership or by an unincorporated association other than a partnership is committed with the consent or connivance of, or is attributable to any neglect on the part of, a partner in the partnership or (as the case may be) a person concerned in the management or control of the association, he, as well as the partnership or association, is guilty of the offence.

Extent Information

- E1** In its application to Northern Ireland, this section has effect subject to the modifications set out in Sch. 8; see s. 70(6)

Commencement Information

- II** S. 48 fully in force at 21.1.2003; s. 48 not in force at Royal Assent see s. 70(3)(6), Sch. 8 para. 48(1); s. 48 in force for certain purposes (E.W.S.) at 13.5.1998 by S.I. 1998/1282, art. 2; s. 48 in force for certain purposes (N.I.) at 13.5.1998 by S.R. 1998/183, art. 2; s. 48 in force (E.W.S.) at 30.8.2000 to the

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extent not previously in force by S.I. 2000/1969, art. 2; s. 48 in force (N.I.) at 21.1.2003 to the extent not previously in force by S.R. 2003/24, art. 2

VALID FROM 06/04/2005

49 Forgery and false statements.

- (1) In this section “relevant document” means—
- a certificate of exemption issued under section [^{F1}section 36, 37 or 37A];
 - a notice of a kind mentioned in [^{F2}section 36(9)(b), 37(8)(b) or 37A(8)(b)];
 - an accessibility certificate; or
 - an approval certificate.
- (2) A person is guilty of an offence if, with intent to deceive, he—
- forges, alters or uses a relevant document;
 - lends a relevant document to any other person;
 - allows a relevant document to be used by any other person; or
 - makes or has in his possession any document which closely resembles a relevant document.
- (3) A person who is guilty of an offence under subsection (2) is liable—
- on summary conviction, to a fine not exceeding the statutory maximum;
 - on conviction on indictment, to imprisonment for a term not exceeding two years or to a fine or to both.
- (4) A person who knowingly makes a false statement for the purpose of obtaining an accessibility certificate or an approval certificate is guilty of an offence and liable on summary conviction to a fine not exceeding level 4 on the standard scale.

Textual Amendments

- F1** Words in s. 49(1)(a) substituted (31.12.2003 for certain purposes and otherwise 31.3.2004 as respects private hire vehicles licensed in England and Wales, 1.1.2008 for certain purposes and otherwise 1.6.2008 as respects a private hire vehicle licensed by the Department of the Environment in Northern Ireland) by [Private Hire Vehicles \(Carriage of Guide Dogs etc.\) Act 2002 \(c. 37\), ss. 4\(2\), 6\(2\); S.I. 2003/3123, art. 2; S.I. 2007/3477, art. 2](#)
- F2** Words in s. 49(1)(b) substituted (31.12.2003 for certain purposes and otherwise 31.3.2004 as respects private hire vehicles licensed in England and Wales, 1.1.2008 for certain purposes and otherwise 1.6.2008 as respects a private hire vehicle licensed by the Department of the Environment in Northern Ireland) by [Private Hire Vehicles \(Carriage of Guide Dogs etc.\) Act 2002 \(c. 37\), ss. 4\(3\), 6\(2\); S.I. 2003/3123, art. 2; S.I. 2007/3477, art. 2](#)

Commencement Information

- I2** S. 49 not in force at Royal Assent see s. 70(2)(3); s. 49 in force for E.W.S. for certain purposes at 6.4.2005 by [S.I. 2005/1122, art. 2](#); s. 49 in force for N.I. for certain purposes at 3.6.2008 by [S.R. 2008/236, art. 2](#)

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