



Disability Discrimination Act 1995

1995 CHAPTER 50

PART III

DISCRIMINATION IN OTHER AREAS

Premises

22 Discrimination in relation to premises.

[^{F1}(1) It is unlawful for a person with power to dispose of any premises to discriminate against a disabled person—

- (a) in the terms on which he offers to dispose of those premises to the disabled person;
- (b) by refusing to dispose of those premises to the disabled person; or
- (c) in his treatment of the disabled person in relation to any list of persons in need of premises of that description.

(2) Subsection (1) does not apply to a person who owns an estate or interest in the premises and wholly occupies them unless, for the purpose of disposing of the premises, he—

- (a) uses the services of an estate agent, or
- (b) publishes an advertisement or causes an advertisement to be published.

(3) It is unlawful for a person managing any premises to discriminate against a disabled person occupying those premises—

- (a) in the way he permits the disabled person to make use of any benefits or facilities;
- (b) by refusing or deliberately omitting to permit the disabled person to make use of any benefits or facilities; or
- (c) by evicting the disabled person, or subjecting him to any other detriment.

[^{F2}(3A) Regulations may make provision, for purposes of subsection (3)—

Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995, Section 22. (See end of Document for details)

- (a) as to who is to be treated as being, or as to who is to be treated as not being, a person who manages premises;
 - (b) as to who is to be treated as being, or as to who is to be treated as not being, a person occupying premises.]
- (4) It is unlawful for any person whose licence or consent is required for the disposal of any premises comprised in, or (in Scotland) the subject of, a tenancy to discriminate against a disabled person by withholding his licence or consent for the disposal of the premises to the disabled person.
- (5) Subsection (4) applies to tenancies created before as well as after the passing of this Act.
- (6) In this section—
- “advertisement” includes every form of advertisement or notice, whether to the public or not;
 - “dispose”, in relation to premises, includes granting a right to occupy the premises, and, in relation to premises comprised in, or (in Scotland) the subject of, a tenancy, includes—
 - (a) assigning the tenancy, and
 - (b) sub-letting or parting with possession of the premises or any part of the premises;
 - and “disposal” shall be construed accordingly;
 - “estate agent” means a person who, by way of profession or trade, provides services for the purpose of finding premises for persons seeking to acquire them or assisting in the disposal of premises; and
 - “tenancy” means a tenancy created—
 - (a) by a lease or sub-lease,
 - (b) by an agreement for a lease or sub-lease,
 - (c) by a tenancy agreement, or
 - (d) in pursuance of any enactment.
- (7) In the case of an act which constitutes discrimination by virtue of section 55, this section also applies to discrimination against a person who is not disabled.
- (8) This section applies only in relation to premises in the United Kingdom.]

Extent Information

- E1** Following the repeal of this Act for E.W.S. by the Equality Act 2010, this section now extends to Northern Ireland only and also has effect subject to the modifications for Northern Ireland set out in Sch. 8; see [s. 70\(6\)](#)

Textual Amendments

- F1** 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\(h\)](#)
- F2** [S. 22\(3A\)](#) inserted (E.W.S.) (30.6.2005) by [Disability Discrimination Act 2005 \(c. 13\)](#), ss. 19(1), 20(3)-(6), [Sch. 1 para. 16](#); [S.I. 2005/1676](#), [art. 2\(1\)\(c\)](#) and same subsection inserted (N.I.) (3.7.2006)

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by The Disability Discrimination (Northern Ireland) Order 2006 (S.I. 2006/312 (N.I. 1)), arts. 1, 19(1),
Sch. 1 para. 14; S.R. 2006/289, art. 2(1)(b)

Changes to legislation:

There are currently no known outstanding effects for the Disability Discrimination Act 1995, Section 22.