



# Disability Discrimination Act 1995

## CHAPTER 50

### DISABILITY DISCRIMINATION ACT 1995

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

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15C Authorities and their members: duty to make adjustments

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- 28J Procedure
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*Enforcement, etc.*

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- 28W Occupation of premises by educational institutions
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*Duties of funding councils*

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- 31 Further and higher education of disabled persons: Scotland. 1992 c. 37.

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- 47A Rail vehicle accessibility compliance certificates
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  - 54 Further provision about codes issued under section 53.
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- 61 Amendment of Disabled Persons (Employment) Act 1944.
- 62 Restriction of publicity: industrial tribunals.
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- 64 Application to Crown etc.
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- 66 Government appointments outside Part II.
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- 69 Financial provisions.
- 70 Short title, commencement, extent etc.

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#### SCHEDULE 1 — Provisions Supplementing Section 1

##### *Impairment*

- 1 (1) “Mental impairment” includes an impairment resulting from or consisting...

##### *Long-term effects*

- 2 (1) The effect of an impairment is a long-term effect...

##### *Severe disfigurement*

- 3 (1) An impairment which consists of a severe disfigurement is...

##### *Normal day-to-day activities*

- 4 (1) An impairment is to be taken to affect the...

##### *Substantial adverse effects*

- 5 Regulations may make provision for the purposes of this Act—...

##### *Effect of medical treatment*

- 6 (1) An impairment which would be likely to have a...

##### *Persons deemed to be disabled*

- 6A (1) Subject to sub-paragraph (2), a person who has cancer,...
- 7 (1) Sub-paragraph (2) applies to any person whose name is,...



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*Progressive conditions*

8 (1) Where— (a) a person has a progressive condition (such...

*Interpretation*

9 In this Schedule, “HIV infection” means infection by a virus...

SCHEDULE 2 — Past Disabilities

- 1 The modifications referred to in section 2 are as follows....
- 2 References in Parts II to 4 to a disabled person...
- 2A References in Chapter 1 of Part 4 to a disabled...
- 2B References in Chapter 2 of Part 4 to a disabled...
- 2C In section 3A(5), after “not having that particular disability” insert...
- 3 In sections 4A(1), 4B(4), 4E(1), 4H(1), 6B(1), 7B(1), 7D(1), 14(1),...
- 4 In sections 4A(3)(b), 4E(3)(b), 4H(3)(b), 6B(3)(b), 7B(4)(b), 7D(3)(b), 14(3)(b), 14B(3)(b),...
- 4ZA In section 24(3)(e)(i) and (f)(i), after “having” insert “ had...
- 4ZB In sections 24D(2)(a) and 24J(3)(b), for “did not have” substitute...
- 4A In section 28B(3)(a) and (4), after “disabled” insert “or that...
- 4B In section 28C(1), in paragraphs (a) and (b), after “not...
- 4C In section 28S(3)(a) and (4), after “disabled” insert “or that...
- 4D In subsection (1) of section 28T, after “not disabled” insert...
- 4E In that subsection as substituted by paragraphs 2 and 6...
- 5 For paragraph 2(1) to (3) of Schedule 1, substitute—
- 6 References in Chapter I of Part III of the 2005...
- 7 References in Chapter II of Part III of the 2005...
- 8 In Article 15(3)(a) and (4) of the 2005 Order, after...
- 9 In Article 16(1) of the 2005 Order, in sub-paragraphs (a)...
- 10 In Article 29(3)(a) and (4) of the 2005 Order, after...
- 11 In Articles 30(1)(a) and (b) and 37(1)(d), (2)(c) and (3)...
- 12 In Article 35(8) of the 2005 Order after “not having...
- 13 In Article 37(4)(b) of the 2005 Order for “has” substitute...

SCHEDULE 3 — Sections 17A(8) and 25(6). Enforcement and Procedure  
Part I — EMPLOYMENT

*Conciliation*

1 .....

*Restriction on proceedings for breach of Part II*

2 (1) Except as provided by Part 2, no civil or...

*Period within which proceedings must be brought*

3 (1) An employment tribunal shall not consider a complaint under...

*Evidence*

4 (1) In any proceedings under section 17A or 25(8), a...

Part II — DISCRIMINATION IN OTHER AREAS

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*Restriction on proceedings for breach of Part III*

- 5 (1) Except as provided by section 25 no civil or...

*Period within which proceedings must be brought*

- 6 (1) A county court or a sheriff court shall not...

*Staying or sisting proceedings on section 21B claim affecting criminal matters*

- 6A (1) Sub-paragraph (2) applies where a party to proceedings under...

*Restriction of remedies for section 21B claim relating to criminal matters*

- 6B (1) Sub-paragraph (2) applies to a remedy other than—

*Compensation for injury to feelings*

- 7 In any proceedings under section 25, the amount of any...

*Evidence*

- 8 (1) In any proceedings under section 25, a certificate signed...

**Part 3 — DISCRIMINATION IN SCHOOLS**

- 9 *Restriction on proceedings for breach of Part 4, Chapter 1*

- 10 *Period within which proceedings must be brought*

- 11 *Evidence*

**Part 4 — DISCRIMINATION IN FURTHER AND HIGHER  
EDUCATION INSTITUTIONS**

- 12 *Restriction on proceedings for breach of Part 4, Chapter 2*

- 13 *Period within which proceedings must be brought*

- 14 *Compensation for injury to feelings*

- 15 *Evidence*

**Part 5 — DISCRIMINATION IN GENERAL QUALIFICATIONS BODIES**

*Restriction on proceedings for breach of Part 4, Chapter 2A*

- 16 (1) Except as provided by section 31ADA, no civil or...

*Period within which proceedings must be brought*

- 17 (1) A county court or a sheriff court shall not...

*Evidence*

- 18 (1) In any proceedings under section 31ADA, a certificate signed...

**SCHEDULE 3A — VALIDITY OF CONTRACTS, COLLECTIVE AGREEMENTS  
AND RULES OF UNDERTAKINGS**

**PART I — VALIDITY AND REVISION OF CONTRACTS**

- 1 (1) A term of a contract is void where —...

- 2 (1) Paragraph 1(3) does not apply —

- 3 (1) On the application of a disabled person interested in...

**PART II — COLLECTIVE AGREEMENTS AND RULES OF UNDERTAKINGS**

- 4 (1) This Part of this Schedule applies to —

- 5 A disabled person to whom this paragraph applies may present...

- 6 In the case of a complaint about —

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- 7 In the case of a complaint about a rule made...  
8 (1) When an industrial tribunal finds that a complaint presented...  
9 The avoidance by virtue of paragraph 4(2) of any term...  
PART III — INTERPRETATION  
10 In this Schedule “ collective agreement ” means any agreement...  
11 Any reference in this Schedule to a contract or act...  
12 Where a term to which section 26(1A)(c) applies is a...

#### SCHEDULE 3A — VALIDITY OF CONTRACTS, COLLECTIVE AGREEMENTS AND RULES OF UNDERTAKINGS

##### Part 1 — VALIDITY AND REVISION OF CONTRACTS

- 1 (1) A term of a contract is void where—...  
2 (1) Paragraph 1(3) does not apply—  
3 (1) On the application of a disabled person interested...

##### Part 2 — COLLECTIVE AGREEMENTS AND RULES OF UNDERTAKINGS

- 4 (1) This Part of this Schedule applies to—  
5 A disabled person to whom this paragraph applies may present...  
6 In the case of a complaint about—  
7 In the case of a complaint about a rule made...  
8 (1) When an employment tribunal finds that a complaint...  
9 The avoidance by virtue of paragraph 4(2) of any term...  
Part 3 — INTERPRETATION  
10 In this Schedule “ collective agreement ” means any agreement relating  
to...  
11 Any reference in this Schedule to a contract or act...  
12 Where a term to which section 26(1A)(c) applies is a...

#### SCHEDULE 4 — Premises Occupied Under Leases

##### Part I — OCCUPATION BY EMPLOYER ETC

###### *Failure to obtain consent to alteration*

- 1 If any question arises as to whether the occupier has...

###### *Joining lessors in proceedings under section 17A or 25(8)*

- 2 (1) In any proceedings under section 17A or 25(8), in...

###### *Regulations*

- 3 Regulations may make provision as to circumstances in which—

###### *Sub-leases etc.*

- 4 The Secretary of State may by regulations make provision  
supplementing,...

##### Part II — OCCUPATION BY PROVIDER OF SERVICES

###### *Failure to obtain consent to alteration*

- 5 If any question arises as to whether the occupier has...

###### *Reference to court*

- 6 (1) If the occupier has applied in writing to the...

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*Joining lessors in proceedings under section 25*

- 7 (1) In any proceedings on a claim under section 25,...

*Joining lessors in proceedings relating to group insurance or employment services*

- 7A (1) In any proceedings on a complaint under section 25(8)...

*Regulations*

- 8 Regulations may make provision as to circumstances in which—

*Sub-leases etc.*

- 9 The Secretary of State may by regulations make provision supplementing,...

Part 3 — OCCUPATION BY EDUCATIONAL INSTITUTIONS

- 10 *Failure to obtain consent*

- 11 *Reference to court*

- 12 *Joining lessors in proceedings under section 28V*

- 13 *Regulations*

- 14 *Sub-leases etc.*

PART 4 — OCCUPATION BY GENERAL QUALIFICATIONS BODIES

*Failure to obtain consent to alteration*

- 15 If any question arises as to whether a general qualifications...

*Reference to court*

- 16 (1) If the general qualifications body has applied in writing...

*Joining lessors in proceedings under section 31ADA*

- 17 (1) In any proceedings on a claim under section 31ADA...

SCHEDULE 4A — RESPONSIBLE BODIES FOR SCHOOLS

- 1 (1) The bodies responsible for schools in England and Wales...

- 2 (1) The bodies responsible for schools in Scotland are set...

SCHEDULE 4B — RESPONSIBLE BODIES FOR EDUCATIONAL INSTITUTIONS

- 1 (1) The bodies responsible for educational institutions in England and...

- 2 (1) The bodies responsible for relevant institutions in Scotland are...

SCHEDULE 4C — MODIFICATIONS OF CHAPTER 2 OF PART 4

Part 1 — MODIFICATIONS FOR ENGLAND AND WALES

- 1 For section 28R, substitute— Further education etc. provided by local...

- 2 For subsection (1) of section 28T, substitute—

- 3 In section 28W(1)(a) for “by an educational institution” substitute “...

- 4 Omit section 31A.

Part 2 — MODIFICATIONS FOR SCOTLAND

- 5 For section 28R, substitute— Further education etc. provided by education...

- 6 For subsection (1) of section 28T, substitute— :

- 7 In section 28W(1)(a) for “by an educational institution” substitute “by...

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8 Omit section 31A.

SCHEDULE 5 — The National Disability Council

*Status*

1 (1) The Council shall be a body corporate.

*Procedure*

2 The Council has power to regulate its own procedure (including...

*Membership*

3 (1) The Council shall consist of at least 10, but...

*Term of office of members*

4 (1) Each member shall be appointed for a term which...

*Remuneration*

5 (1) The Secretary of State may pay such remuneration or...

*Staff*

6 The Secretary of State shall provide the Council with such...

*Supplementary regulation-making power*

7 The Secretary of State may by regulations make provision—

*Annual report*

8 (1) As soon as is practicable after the end of...

SCHEDULE 6 — Consequential Amendments

*Employment and Training Act 1973 (c. 50)*

1 In section 12(1) of the Employment and Training Act 1973...

*Employment Protection (Consolidation) Act 1978 (c. 44)*

2 In section 136(1) of the Employment Protection (Consolidation) Act 1978...

3 .....

*Companies Act 1985 (c. 6)*

4 In paragraph 9 of Schedule 7 to the Companies Act...

*Local Government and Housing Act 1989 (c. 42)*

5 In section 7 of the Local Government and Housing Act...

*Enterprise and New Towns (Scotland) Act 1990 (c. 35)*

6 In section 16 of the Enterprise and New Towns (Scotland)...

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## SCHEDULE 7 — Repeals

### SCHEDULE 8 — Modifications of this Act in its application to Northern Ireland

- 1 In its application to Northern Ireland this Act shall have...
- 2 (1) In section 3(1) for “Secretary of State” substitute “...
- 3 In section 4(6) for “Great Britain” substitute “ Northern Ireland...
- 4 (1) In section 7(2) for “Secretary of State” substitute “...
- 5 (1) In section 8(3) omit “or (in Scotland) in reparation”....
- 6 (1) In section 9(2)(a) for “a conciliation officer” substitute “...
- 7 (1) In section 10(1)(b) omit “or recognised body”.
- 8 — In section 12(5) for “Great Britain” where it twice...
- 9 (1) In section 19(3)(g) for “section 2 of the Employment...
- 10 In section 20(7) for paragraphs (b) and (c) substitute ;...
- 11 In section 22(4) and (6) omit “or (in Scotland) the...
- 12 (1) In section 25(1) omit “or (in Scotland) in reparation”....
- 13 In section 26(3) omit “or a sheriff court”.
- 14 .....
- 15 Omit sections 29, 30 and 31.
- 16 (1) In section 32(1) for “Secretary of State” substitute “...
- 17 In section 33, for “Secretary of State”, wherever it occurs,...
- 18 For section 34 substitute— New licences conditional on compliance with...
- 19 Omit section 35.
- 20 In section 36(7) for “licensing authority” substitute “ Department of...
- 21 (1) In section 37(5) and (6) for “licensing authority” substitute...
- 21A (1) In section 37A(5) and (6) for “licensing authority” substitute...
- 22 (1) In section 38(1) for “a licensing authority” substitute “...
- 23 Omit section 39.
- 24 (1) In section 40 for “Secretary of State” wherever it...
- 25 (1) In section 41(2) for “Secretary of State” substitute “...
- 26 (1) In section 42 for “Secretary of State” wherever it...
- 27 In section 43 for “Secretary of State” wherever it occurs...
- 28 (1) In section 44 for “Secretary of State” wherever it...
- 29 (1) In section 45 for “Secretary of State” wherever it...
- 30 (1) In section 46 for “Secretary of State” wherever it...
- 31 (1) In section 47 for “Secretary of State” wherever it...
- 32 Omit section 48(3).
- 33 .....
- 34 (1) .....
- 35 For section 52 substitute— Further provisions about codes issued under...
- 36 (1) In section 53 for “Secretary of State” wherever it...
- 37 For section 54 substitute— Further provisions about codes issued under...
- 38 In section 56(2) and (4) for “Secretary of State” substitute...
- 39 In section 59(1) after “Crown” where it twice occurs insert...
- 40 (1) In section 60(1) to (3) for “Secretary of State”...
- 41 For section 61 substitute— Amendments of Disabled Persons (Employment) Act...
- 42 (1) In section 62(2) for “Secretary of State” substitute “...
- 43 Omit section 63.
- 44 (1) In section 64(3) for “England and Wales” substitute “...
- 45 Omit section 65.

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- 46 For section 67 substitute— Regulations and orders etc. (1) Any power under this Act to make regulations or...
- 47 (1) For section 68(1) substitute— (1) In this Act— “accessibility...
- 48 (1) In section 70(3) for “Secretary of State” substitute “...
- 49 (1) In Schedule 1 in paragraph 7(1) for “Act 1944”...
- 50 (1) In Schedule 3 in paragraph 1—
- 51 (1) In Schedule 4 in paragraphs 2(1) and (5) and...
- 52 .....
- 53 For Schedules 6 and 7 substitute— SCHEDULE 6 Consequential Amendments...

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