

*Status: Point in time view as at 01/09/2003. This version of this cross heading contains provisions that are not valid for this point in time.*

*Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995, Cross Heading: Restriction of remedies for section 21B claim relating to criminal matters. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 3

#### SECTIONS [F117A(8)] AND 25(6). ENFORCEMENT AND PROCEDURE

##### Extent Information

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

##### Textual Amendments

- F1** Sch. 3: word in side note substituted (E.W.S.) (3.7.2003 for certain purposes and otherwise 1.10.2004) by [The Disability Discrimination Act 1995 \(Amendment\) Regulations 2003 \(S.I. 2003/1673\)](#), regs. 1(2)(3), **29(2)(a)** and same word substituted (N.I.) (21.2.2004 for certain purposes and otherwise 1.10.2004) by the [Disability Discrimination Act \(Amendment\) Regulations \(Northern Ireland\) 2004 \(S.R. 2004/55\)](#), regs. 1(2)(3), **28(2)(a)**

## PART II

### DISCRIMINATION IN OTHER AREAS

VALID FROM 04/12/2006

*[F1 Restriction of remedies for section 21B claim relating to criminal matters*

##### Textual Amendments

- F1** Sch. 3 paras. 6A, 6B and cross-headings inserted (E.W.S.) (4.12.2006) by [Disability Discrimination Act 2005 \(c. 13\)](#), ss. 19(1), 20(3)-(6), **Sch. 1 para. 38(5)**; S.I. 2005/2774, **art. 4**

- 6B** (1) Sub-paragraph (2) applies to a remedy other than—
- (a) damages; or
  - (b) a declaration or, in Scotland, a declarator.
- (2) In proceedings under section 25, the remedy shall be obtainable in respect of a relevant discriminatory act only if the court is satisfied that—
- (a) no criminal investigation,
  - (b) no decision to institute criminal proceedings, and
  - (c) no criminal proceedings,
- would be prejudiced by the remedy.

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- (3) In sub-paragraph (2) “relevant discriminatory act” means an act—
- (a) which is done, or by virtue of section 57 or 58 is treated as done, by a person—
    - (i) in carrying out public investigator functions, or
    - (ii) in carrying out functions as a public prosecutor; and
  - (b) which is unlawful by virtue of section 21B(1).]

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