

*Status: Point in time view as at 01/09/2002.*

*Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995, Paragraph 1. (See end of Document for details)*

## SCHEDULES

### [<sup>F1F1</sup>SCHEDULE 4C

#### MODIFICATIONS OF CHAPTER 2 OF PART 4

##### Textual Amendments

- F1** Sch. 4C inserted (E.W.S.) (1.9.2002) by 2001 c. 10, s. 29, **Sch. 5** (with s. 43(13)); S.I. 2002/2217, art. 3, **Sch. 1 Pt. I**
- F1** Sch. 4C substituted (30.6.2006 for certain purposes and otherwise 1.9.2006) by *The Disability Discrimination Act 1995 (Amendment) (Further and Higher Education) Regulations 2006* (S.I. 2006/1721), regs. 1(2)(3), **21**

### <sup>F1</sup>PART 1

#### MODIFICATIONS FOR ENGLAND AND WALES

##### Textual Amendments

- F1** Sch. 4C inserted (E.W.S.) (1.9.2002) by 2001 c. 10, s. 29, **Sch. 5** (with s. 43(13)); S.I. 2002/2217, art. 3, **Sch. 1 Pt. I**

<sup>F2F3</sup><sub>1</sub> For section 28R, substitute—

#### “ Further education etc. provided by local education authorities and schools

- (1) Subsections (2) and (3) apply in relation to—
- (a) any course of higher education secured by a local education authority under section 120 of the Education Reform Act 1988;
  - (b) any course of further education—
    - (i) secured by a local education authority; or
    - (ii) provided by the governing body of a maintained school under section 80 of the School Standards and Framework Act 1998.
- (2) It is unlawful for the local education authority or the governing body to discriminate against a disabled person—
- (a) in the arrangements they make for determining who should be enrolled on the course;
  - (b) in the terms on which they offer to enrol him on the course; or
  - (c) by refusing or deliberately omitting to accept an application for his enrolment on the course.

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- (3) It is unlawful for the local education authority or the governing body to discriminate against a disabled person who has enrolled on the course in the services which they provide, or offer to provide.
- (4) “Services”, in relation to a course, means services of any description which are provided wholly or mainly for persons enrolled on the course.
- (5) It is unlawful for a local education authority to discriminate against a disabled person in the terms on which they provide, or offer to provide, recreational or training facilities.
- (6) In this Chapter “responsible body” means—
- (a) a local education authority, in relation to—
    - (i) a course of further or higher education secured by them;
    - (ii) recreational or training facilities; and
  - (b) the governing body of a maintained school, in relation to a course of further education provided under section 80 of the School Standards and Framework Act 1998.
- (7) “Further education”—
- (a) in relation to a course secured by a local education authority, has the meaning given in section 2(3) of the Education Act 1996; and
  - (b) in relation to a course provided under section 80 of the School Standards and Framework Act 1998 means education of a kind mentioned in subsection (1) of that section.
- (8) In relation to further education secured by a local education authority—
- “course” includes each of the component parts of a course of further education if, in relation to the course, there is no requirement imposed on persons registered for any component part of the course to register for any other component part of that course; and
- “enrolment”, in relation to such a course, includes registration for any one of those parts.
- (9) “Higher education” has the meaning given in section 579(1) of the Education Act 1996.
- (10) “Local education authority” has the meaning given in section 12 of the Education Act 1996.
- (11) “Governing body” and “maintained school” have the same meaning as in Chapter 1.
- (12) “Recreational or training facilities” means any facilities secured by a local education authority under subsection (1), or provided by it under subsection (1A), of section 508 of the Education Act 1996 (recreation and social and physical training).”]

#### **Textual Amendments**

- F2** Sch. 4C substituted (30.6.2006 for certain purposes and otherwise 1.9.2006) by [The Disability Discrimination Act 1995 \(Amendment\) \(Further and Higher Education\) Regulations 2006 \(S.I. 2006/1721\)](#), regs. 1, 21

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**F3** Sch. 4C inserted (E.W.S.) (1.9.2002) by 2001 c. 10, s. 29, **Sch. 5** (with s. 43(13)); S.I. 2002/2217, art. 3, **Sch. 1 Pt. I**

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