



Disability Discrimination Act 1995

1995 CHAPTER 50

PART III

DISCRIMINATION IN OTHER AREAS

Goods, facilities and services

[^{F1}21A Employment services **E+W+S**

- (1) In [^{F2}this Act], “employment services” means—
 - (a) vocational guidance;
 - (b) vocational training; or
 - (c) services to assist a person to obtain or retain employment, or to establish himself as self-employed.
- (2) It is unlawful for a provider of employment services, in relation to such services, to subject to harassment a disabled person—
 - (a) to whom he is providing such services, or
 - (b) who has requested him to provide such services;and section 3B (meaning of “harassment”) applies for the purposes of this subsection as it applies for the purposes of Part 2.
- (3) In their application to employment services, the preceding provisions of this Part have effect as follows.
- (4) Section 19 has effect as if—
 - (a) after subsection (1)(a), there were inserted the following paragraph—

“(aa) in failing to comply with a duty imposed on him by subsection (1) of section 21 in circumstances in which the effect of that failure is to place the disabled person at a substantial disadvantage in comparison

*Status: Point in time view as at 31/12/2007. There are multiple versions of this provision on screen.
 These apply to different geographical extents. This version of this provision has been superseded.*

*Changes to legislation: There are currently no known outstanding effects for the
 Disability Discrimination Act 1995, Section 21A. (See end of Document for details)*

with persons who are not disabled in relation to the provision of the service;”;

(b) in subsection (1)(b), for “section 21” there were substituted “ subsection (2) or (4) of section 21 ”;

[^{F3}(c) in subsection (2), for “sections 20 to 21ZA” there is substituted “ sections 20 to 21A ”.]

(5) Section 20 has effect as if—

(a) after subsection (1), there were inserted the following subsection—

“(1A) For the purposes of section 19, a provider of services also discriminates against a disabled person if he fails to comply with a duty imposed on him by subsection (1) of section 21 in relation to the disabled person.”;

(b) in subsection (2)(a), for “a section 21 duty imposed” there were substituted “ a duty imposed by subsection (2) or (4) of section 21 ”;

(c) after subsection (3), there were inserted the following subsection—

“(3A) But treatment of a disabled person cannot be justified under subsection (3) if it amounts to direct discrimination falling within section 3A(5).”.

(6) Section 21 has effect as if—

(a) in subsection (1), for “makes it impossible or unreasonably difficult for disabled persons to make use of” there were substituted places disabled persons at a substantial disadvantage in comparison with persons who are not disabled in relation to the provision of;

(b) after subsection (1), there were inserted the following subsection—

“(1A) In subsection (1), “practice, policy or procedure” includes a provision or criterion.”.]

Textual Amendments

- F1** S. 21A inserted (E.W.S.) (3.7.2003 for specified purposes and otherwise 1.10.2004) by [The Disability Discrimination Act 1995 \(Amendment\) Regulations 2003 \(S.I. 2003/1673\)](#), regs. 1(2)(3), {19(1)} and same section inserted (N.I.) (21.2.2004 for specified purposes and otherwise 1.10.2004) by the [Disability Discrimination Act \(Amendment\) Regulations \(Northern Ireland\) 2004 \(S.R. 2004/55\)](#), regs. 1(2)(3), **19(1)**: Note - the reference to "Part 2" in s. 21A(2) in the E.W.S. text of the provision appears as "Part II" in the N.I. text
- F2** Words in s. 21A(1) substituted (E.W.S.) (30.6.2005) by [Disability Discrimination Act 2005 \(c. 13\)](#), ss. 19(1), 20(3)-(6), **Sch. 1 para. 15(2)**; S.I. 2005/1676, **art. 2(1)(c)**
- F3** S. 21A(4)(c) substituted (E.W.S.) (30.6.2005) by [Disability Discrimination Act 2005 \(c. 13\)](#), ss. 19(1), 20(3)-(6), **Sch. 1 para. 15(3)**; S.I. 2005/1676, **art. 2(1)(c)**

[^{F1}21A Employment services **N.I.**

(1) In [^{F4}this Act] , “employment services” means—

- (a) vocational guidance;
 (b) vocational training; or

Status: Point in time view as at 31/12/2007. There are multiple versions of this provision on screen.

These apply to different geographical extents. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995, Section 21A. (See end of Document for details)

- (c) services to assist a person to obtain or retain employment, or to establish himself as self-employed.
- (2) It is unlawful for a provider of employment services, in relation to such services, to subject to harassment a disabled person—
- (a) to whom he is providing such services, or
 - (b) who has requested him to provide such services;
- and section 3B (meaning of “harassment”) applies for the purposes of this subsection as it applies for the purposes of Part II.
- (3) In their application to employment services, the preceding provisions of this Part have effect as follows.
- (4) Section 19 has effect as if—
- (a) after subsection (1)(a), there were inserted the following paragraph—
 - “(aa) in failing to comply with a duty imposed on him by subsection (1) of section 21 in circumstances in which the effect of that failure is to place the disabled person at a substantial disadvantage in comparison with persons who are not disabled in relation to the provision of the service;”;
 - (b) in subsection (1)(b), for “section 21” there were substituted “ subsection (2) or (4) of section 21 ”;
 - [^{F5}(c) in subsection (2), for “sections 20 to 21ZA” there were substituted sections 20 to 21A.]
- (5) Section 20 has effect as if—
- (a) after subsection (1), there were inserted the following subsection—
 - “(1A) For the purposes of section 19, a provider of services also discriminates against a disabled person if he fails to comply with a duty imposed on him by subsection (1) of section 21 in relation to the disabled person.”;
 - (b) in subsection (2)(a), for “a section 21 duty imposed” there were substituted “ a duty imposed by subsection (2) or (4) of section 21 ”;
 - (c) after subsection (3), there were inserted the following subsection—
 - “(3A) But treatment of a disabled person cannot be justified under subsection (3) if it amounts to direct discrimination falling within section 3A(5).”.
- (6) Section 21 has effect as if—
- (a) in subsection (1), for “makes it impossible or unreasonably difficult for disabled persons to make use of” there were substituted places disabled persons at a substantial disadvantage in comparison with persons who are not disabled in relation to the provision of;
 - (b) after subsection (1), there were inserted the following subsection—
 - “(1A) In subsection (1), “practice, policy or procedure” includes a provision or criterion.”.]

Status: Point in time view as at 31/12/2007. There are multiple versions of this provision on screen.
These apply to different geographical extents. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the
Disability Discrimination Act 1995, Section 21A. (See end of Document for details)

Extent Information

- E1** This version of this provision extends to Northern Ireland only; a separate version has been created for England and Wales and Scotland only.

Textual Amendments

- F1** S. 21A inserted (E.W.S.) (3.7.2003 for specified purposes and otherwise 1.10.2004) by [The Disability Discrimination Act 1995 \(Amendment\) Regulations 2003 \(S.I. 2003/1673\)](#), regs. 1(2)(3), {19(1)} and same section inserted (N.I.) (21.2.2004 for specified purposes and otherwise 1.10.2004) by the [Disability Discrimination Act \(Amendment\) Regulations \(Northern Ireland\) 2004 \(S.R. 2004/55\)](#), regs. 1(2)(3), **19(1)**: Note - the reference to "Part 2" in s. 21A(2) in the E.W.S. text of the provision appears as "Part II" in the N.I. text
- F4** Words in s. 21A(1) substituted (N.I.) (3.7.2006) by [The Disability Discrimination \(Northern Ireland\) Order 2006 \(S.I. 2006/312 \(N.I. 1\)\)](#), arts. 1, 19(1), **Sch. 1 para. 13(2)**; S.R. 2006/289, **art. 2(1)(b)**
- F5** S. 21A(4)(c) substituted (N.I.) (3.7.2006) by [The Disability Discrimination \(Northern Ireland\) Order 2006 \(S.I. 2006/312 \(N.I. 1\)\)](#), arts. 1, 19(1), **Sch. 1 para. 13(3)**; S.R. 2006/289, **art. 2(1)(b)**

Status:

Point in time view as at 31/12/2007. There are multiple versions of this provision on screen. These apply to different geographical extents. This version of this provision has been superseded.

Changes to legislation:

There are currently no known outstanding effects for the Disability Discrimination Act 1995, Section 21A.