



Disability Discrimination Act 1995

1995 CHAPTER 50

PART V

PUBLIC TRANSPORT

Rail vehicles

PROSPECTIVE

[^{F1}47G Sections 47E and 47F: inspection of rail vehicles **E+W+S**

- [^{F2}(1) Where the Secretary of State has reasonable grounds for suspecting that a regulated rail vehicle may not conform with provisions of rail vehicle accessibility regulations with which it is required to conform, a person authorised by the Secretary of State—
- (a) may inspect the vehicle for conformity with the provisions;
 - (b) for the purpose of exercising his power under paragraph (a)—
 - (i) may enter premises if he has reasonable grounds for suspecting the vehicle to be at those premises, and
 - (ii) may enter the vehicle; and
 - (c) for the purpose of exercising his power under paragraph (a) or (b), may require any person to afford such facilities and assistance with respect to matters under that person's control as are necessary to enable the power to be exercised.
- (2) Where the Secretary of State has given a notice under section 47E(1) or (4), a person authorised by the Secretary of State—
- (a) may inspect the vehicle concerned for conformity with the provision specified in the notice;
 - (b) for the purpose of exercising his power under paragraph (a)—
 - (i) may enter premises if he has reasonable grounds for suspecting the vehicle to be at those premises, and
 - (ii) may enter the vehicle; and

Status: There are multiple prospective versions of this provision on screen. These apply to different geographical extents. Skip to: E+W+S - England, Wales and Scotland extent N.I. - Northern Ireland extent

Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995, Section 47G. (See end of Document for details)

- (c) for the purpose of exercising his power under paragraph (a) or (b), may require any person to afford such facilities and assistance with respect to matters under that person's control as are necessary to enable the power to be exercised.
- (3) A person exercising power under subsection (1) or (2) shall, if required to do so, produce evidence of his authority to exercise the power.
- (4) Where a person obstructs the exercise of power under subsection (1), the Secretary of State may, for purposes of section 47E(1) or 47F(1), draw such inferences from the obstruction as appear proper.
- (5) Where—
- (a) a person obstructs the exercise of power under subsection (2), and
 - (b) the obstruction occurs before a notice under section 47E(4) is given in respect of the vehicle concerned,
- the Secretary of State may treat section 47E(3)(c) as satisfied in the case concerned.
- (6) Where a person obstructs the exercise of power under subsection (2) and the obstruction occurs—
- (a) after a notice under section 47E(4) has been given in respect of the vehicle concerned, and
 - (b) as a result of the operator, or a person who acts on his behalf, behaving in a particular way with the intention of obstructing the exercise of the power,
- the Secretary of State may require the operator of the vehicle to pay a penalty.
- (7) In this section “inspect” includes test.]]

Extent Information

- E1** This section extended to England, Wales and Scotland only; a separate s. 47G exists for Northern Ireland only.

Textual Amendments

- F1** [Ss. 47D-47M](#) inserted (E.W.S.) (prosp.) by [Disability Discrimination Act 2005 \(c. 13\)](#), ss. {8(1)}, 20(3)-(6)
- F2** 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\(h\)](#)

[^{F3} 47G Sections 47E and 47F: inspection of rail vehicles **N.I.**

- (1) Where the Department for Regional Development has reasonable grounds for suspecting that a regulated rail vehicle may not conform with provisions of rail vehicle accessibility regulations with which it is required to conform, a person authorised by that Department—
- (a) may inspect the vehicle for conformity with the provisions;
 - (b) for the purpose of exercising his power under paragraph (a)—
 - (i) may enter premises if he has reasonable grounds for suspecting the vehicle to be at those premises, and

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- (ii) may enter the vehicle; and
 - (c) for the purpose of exercising his power under paragraph (a) or (b), may require any person to afford such facilities and assistance with respect to matters under that person's control as are necessary to enable the power to be exercised.
- (2) Where the Department for Regional Development has given a notice under section 47E(1) or (4), a person authorised by that Department—
 - (a) may inspect the vehicle concerned for conformity with the provision specified in the notice;
 - (b) for the purpose of exercising his power under paragraph (a)—
 - (i) may enter premises if he has reasonable grounds for suspecting the vehicle to be at those premises, and
 - (ii) may enter the vehicle; and
 - (c) for the purpose of exercising his power under paragraph (a) or (b), may require any person to afford such facilities and assistance with respect to matters under that person's control as are necessary to enable the power to be exercised.
- (3) A person exercising power under subsection (1) or (2) shall, if required to do so, produce evidence of his authority to exercise the power.
- (4) Where a person obstructs the exercise of power under subsection (1), the Department for Regional Development may, for purposes of section 47E(1) or 47F(1), draw such inferences from the obstruction as appear proper.
- (5) Where a person—
 - (a) obstructs the exercise of power under subsection (2), and
 - (b) the obstruction occurs before a notice under section 47E(4) is given in respect of the vehicle concerned,the Department for Regional Development may treat section 47E(3)(c) as satisfied in the case concerned.
- (6) Where a person obstructs the exercise of power under subsection (2) and the obstruction occurs—
 - (a) after a notice under section 47E(4) has been given in respect of the vehicle concerned, and
 - (b) as a result of the operator, or a person who acts on his behalf, behaving in a particular way with the intention of obstructing the exercise of the power,the Department for Regional Development may require the operator of the vehicle to pay a penalty.
- (7) In this section “inspect” includes test.]

Textual Amendments

- F3** Ss. 47D-47H, 47J-47M inserted (N.I.) (prosp.) by [The Disability Discrimination \(Northern Ireland\) Order 2006 \(S.I. 2006/312 \(N.I. 1\)\)](#), arts. 1, **10(1)**

Status:

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Changes to legislation:

There are currently no known outstanding effects for the Disability Discrimination Act 1995, Section 47G.