



Disability Discrimination Act 1995

1995 CHAPTER 50

PART VIII

MISCELLANEOUS

64 Application to Crown etc.

- (1) This Act applies—
 - (a) to an act done by or for purposes of a Minister of the Crown or government department, or
 - (b) to an act done on behalf of the Crown by a statutory body, or a person holding a statutory office,as it applies to an act done by a private person.
- (2) Subject to subsection (5), Part II applies to service—
 - (a) for purposes of a Minister of the Crown or government department, other than service of a person holding a statutory office, or
 - (b) on behalf of the Crown for purposes of a person holding a statutory office or purposes of a statutory body,as it applies to employment by a private person.
- (3) The provisions of Parts II to IV of the 1947 Act apply to proceedings against the Crown under this Act as they apply to Crown proceedings in England and Wales; but section 20 of that Act (removal of proceedings from county court to High Court) does not apply.
- (4) The provisions of Part V of the 1947 Act apply to proceedings against the Crown under this Act as they apply to proceedings in Scotland which by virtue of that Part are treated as civil proceedings by or against the Crown; but the proviso to section 44 of that Act (removal of proceedings from the sheriff court to the Court of Session) does not apply.
- (5) Part II does not apply to service—

Status: Point in time view as at 02/12/1996. This version of this provision has been superseded.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 64. (See end of Document for details)

- (a) as a member of the Ministry of Defence Police, the British Transport Police, the Royal Parks Constabulary or the United Kingdom Atomic Energy Authority Constabulary;
 - (b) as a prison officer; or
 - (c) for purposes of a Minister of the Crown or government department having functions with respect to defence as a person who is or may be required by his terms of service to engage in fire fighting.
- (6) Part II does not apply to service as a member of a fire brigade who is or may be required by his terms of service to engage in fire fighting.
- (7) It is hereby declared (for the avoidance of doubt) that Part II does not apply to service in any of the naval, military or air forces of the Crown.
- (8) In this section—

“the 1947 Act” means the ^{M1}Crown Proceedings Act 1947;

“British Transport Police” means the constables appointed, or deemed to have been appointed, under section 53 of the ^{M2}British Transport Commission Act 1949;

“Crown proceedings” means proceedings which, by virtue of section 23 of the 1947 Act, are treated for the purposes of Part II of that Act as civil proceedings by or against the Crown;

“fire brigade” means a fire brigade maintained in pursuance of the ^{M3}Fire Services Act 1947;

“Ministry of Defence Police” means the force established under section 1 of the ^{M4}Ministry of Defence Police Act 1987;

“prison officer” means a person who is a prison officer within the meaning of section 127 of the ^{M5}Criminal Justice and Public Order Act 1994, apart from those who are custody officers within the meaning of Part I of that Act;

“Royal Parks Constabulary” means the park constables appointed under the ^{M6}Parks Regulation Act 1872;

“service for purposes of a Minister of the Crown or government department” does not include service in any office for the time being mentioned in Schedule 2 (Ministerial offices) to the ^{M7}House of Commons Disqualification Act 1975;

“statutory body” means a body set up by or under an enactment;

“statutory office” means an office so set up; and

“United Kingdom Atomic Energy Authority Constabulary” means the special constables appointed under section 3 of the ^{M8}Special Constables Act 1923 on the nomination of the United Kingdom Atomic Energy Authority.

Extent Information

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

Marginal Citations

M1 1947 c. 44.

M2 1949 c. xxix.

M3 1947 c. 41.

M4 1987 c. 4.

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Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995, Section 64. (See end of Document for details)

M5 1994 c. 33.

M6 1872 c. 15.

M7 1975 c. 24.

M8 1923 c. 11.

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Changes to legislation:

There are currently no known outstanding effects for the Disability Discrimination Act 1995, Section 64.