

*Status: Point in time view as at 16/01/2012.*

*Changes to legislation: Equality Act 2010, Cross Heading: Disability is up to date with all changes known to be in force on or before 22 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 3

#### SERVICES AND PUBLIC FUNCTIONS: EXCEPTIONS

#### PART 4

#### IMMIGRATION

##### *Disability*

- 16 (1) This paragraph applies in relation to disability discrimination.
- (2) Section 29 does not apply to—
- (a) a decision within sub-paragraph (3);
  - (b) anything done for the purposes of or in pursuance of a decision within that sub-paragraph.
- (3) A decision is within this sub-paragraph if it is a decision (whether or not taken in accordance with immigration rules) to do any of the following on the ground that doing so is necessary for the public good—
- (a) to refuse entry clearance;
  - (b) to refuse leave to enter or remain in the United Kingdom;
  - (c) to cancel leave to enter or remain in the United Kingdom;
  - (d) to vary leave to enter or remain in the United Kingdom;
  - (e) to refuse an application to vary leave to enter or remain in the United Kingdom.
- (4) Section 29 does not apply to—
- (a) a decision taken, or guidance given, by the Secretary of State in connection with a decision within sub-paragraph (3);
  - (b) a decision taken in accordance with guidance given by the Secretary of State in connection with a decision within that sub-paragraph.

#### **Commencement Information**

- II** [Sch. 3](#) wholly in force at 1.10.2012; [Sch. 3](#) not in force at Royal assent see [s. 216](#); [Sch. 3](#) in force at 1.10.2010 for certain purposes by [S.I. 2010/2317](#), [art. 2\(3\)](#); [Sch. 3](#) in force so far as not already in force at 1.10.2012 by [S.I. 2012/1569](#), [art. 2\(d\)](#)

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