



Disability Discrimination Act 1995

CHAPTER 50

DISABILITY DISCRIMINATION ACT 1995

PART I

DISABILITY

- 1 Meaning of “disability” and “disabled person”.
- 2 Past disabilities.
- 3 Guidance.

PART II

EMPLOYMENT

Meaning of “discrimination” and “harassment”

- 3A Meaning of “discrimination”
- 3B Meaning of “harassment”

Discrimination by employers

- 4 Discrimination against applicants and employees.
- 4A Employers: duty to make adjustments
- 5 Meaning of “discrimination”.
- 6 Duty of employer to make adjustments.
- 7 Exemption for small businesses.

Contract workers

- 4B Contract workers

Status: Point in time view as at 01/09/2002.
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Office-holders

- 4C Office-holders: introductory
- 4D Office-holders: discrimination and harassment
- 4E Office-holders: duty to make adjustments
- 4F Office-holders: supplementary

Occupational pension schemes

- 4G Occupational pension schemes: non-discrimination rule
- 4H Occupational pension schemes: duty to make adjustments
- 4I Occupational pension schemes: procedure
- 4J Occupational pension schemes: remedies
- 4K Occupational pension schemes: supplementary

Partnerships

- 6A Partnerships: discrimination and harassment
- 6B Partnerships: duty to make adjustments
- 6C Partnerships: supplementary

Barristers and advocates

- 7A Barristers: discrimination and harassment
- 7C Advocates: discrimination and harassment
- 7D Advocates: duty to make adjustments

Barristers

- 7B Barristers: duty to make adjustments

Enforcement etc.

- 8 Enforcement, remedies and procedure.
- 9 Validity of certain agreements.
- 10 Charities and support for particular groups of persons.
- 11 Advertisements suggesting that employers will discriminate against disabled persons.

Discrimination by other persons

- 12 Discrimination against contract workers.
- 13 Discrimination by trade organisations.
- 14 Meaning of “discrimination” in relation to trade organisations.
- 15 Appeal against refusal of exemption certificate.

Trade and professional bodies

- 14A Qualifications bodies: discrimination and harassment
- 14B Qualifications bodies: duty to make adjustments

Practical work experience

- 14D Practical work experience: duty to make adjustments

Relationships between locally-electable authorities and their members

- 15A Interpretation of sections 15B and 15C

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- 15B Authorities and their members: discrimination and harassment
- 15C Authorities and their members: duty to make adjustments

Premises occupied under leases

- 16 Alterations to premises occupied under leases.

Other unlawful acts

- 16A Relationships which have come to an end
- 16B Discriminatory advertisements
- 16C Instructions and pressure to discriminate

Occupational pension schemes and insurance services

- 17 Occupational pension schemes.
- 18 Insurance services

Enforcement etc.

- 17A Enforcement, remedies and procedure.
- 17B Enforcement of sections 16B and 16C
- 17C Validity of contracts, collective agreements and rules of undertakings

Supplementary and general

- 18A Alterations to premises occupied under leases.
- 18B Reasonable adjustments: supplementary
- 18C Charities and support for particular groups of persons.
- 18D Interpretation of Part 2
- 18E Premises provided otherwise than in course of a Part 2 relationship

PART III

DISCRIMINATION IN OTHER AREAS

Goods, facilities and services

- 19 Discrimination in relation to goods, facilities and services.
- 20 Meaning of “discrimination”
- 21 Duty of providers of services to make adjustments.
- 21ZA Application of sections 19 to 21 to transport vehicles
- 21A Employment services

Public authorities

- 21B Discrimination by public authorities
- 21C Exceptions from section 21B(1)
- 21D Meaning of “discrimination” in section 21B
- 21E Duties for purposes of section 21D(2) to make adjustments

Private clubs etc.

- 21F Discrimination by private clubs etc.
- 21G Meaning of “discrimination”
- 21H Duty to make adjustments
- 21J “Member”, “associate” and “guest”

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Premises

- 22 Discrimination in relation to premises.
- 22A Commonholds
- 23 Exemption for small dwellings.
- 24 Meaning of “discrimination” .
- 24A Let premises: discrimination in failing to comply with duty
- 24B Exceptions to section 24A(1)
- 24C Duty for purposes of section 24A(2) to provide auxiliary aid or service
- 24D Duty for purposes of section 24A(2) to change practices, terms etc
- 24E Sections 24C and 24D: supplementary and interpretation
- 24F Let premises: victimisation of persons to whom premises are let
- 24G Premises that are to let: discrimination in failing to comply with duty
- 24H Exceptions to section 24G(1)
- 24J Duties for purposes of section 24G(2)
- 24K Let premises and premises that are to let: justification
- 24L Sections 24 to 24K: power to make supplementary provision
- 24M Premises provisions do not apply where other provisions operate

Enforcement, etc.

- 25 Enforcement, remedies and procedure.
- 26 Validity and revision of certain agreements.
- 27 Alterations to premises occupied under leases.
- 28 Conciliation of disputes.

PART IV

EDUCATION

CHAPTER 1

SCHOOLS

Duties of responsible bodies

- 28A Discrimination against disabled pupils and prospective pupils
- 28B Meaning of “discrimination”
- 28C Disabled pupils not to be substantially disadvantaged
- 28D Accessibility strategies and plans
- 28E Accessibility strategies and plans: procedure

Residual duty of education authorities

- 28F Duty of education authorities not to discriminate
- 28G Residual duty: supplementary provisions

Enforcement: England and Wales

- 28H Special Educational Needs and Disability Tribunal
- 28I Jurisdiction and powers of the Tribunal
- 28IA Jurisdiction and powers of the Tribunal – Wales
- 28IB Case friends — Wales
- 28IC Advice and information — Wales
- 28ID Resolution of disputes — Wales
- 28IE Independent advocacy services — Wales

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- 28J Procedure
- 28JA Appeal from the Welsh Tribunal to the Upper Tribunal
- 28K Admissions
- 28L Exclusions
- 28M Roles of the Secretary of State and the National Assembly

Enforcement: Scotland

- 28N Civil proceedings

Agreements relating to enforcement

- 28P Validity and revision of agreements of responsible bodies

Interpretation of Chapter 1

- 28Q Interpretation

CHAPTER 2

FURTHER AND HIGHER EDUCATION

Duties of responsible bodies

- 28R Discrimination against disabled students and prospective students
- 28S Meaning of “discrimination”
- 28SA Meaning of “harassment”
- 28T Disabled students not to be substantially disadvantaged

Other providers of further education or training facilities

- 28U Further education etc. provided by local education authorities and schools

Other unlawful acts

- 28UA Relationships which have come to an end
- 28UB Instructions and pressure to discriminate
- 28UC Discriminatory advertisements

Enforcement, etc.

- 28V Enforcement, remedies and procedure
- 28W Occupation of premises by educational institutions
- 28X Validity and revision of agreements
- 29 Education of disabled persons.

Duties of funding councils

- 30 Further and higher education of disabled persons. 1992 c.13.
- 31 Further and higher education of disabled persons: Scotland. 1992 c. 37.

Interpretation of Chapter 2

- 31A Interpretation

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CHAPTER 2A

GENERAL QUALIFICATIONS BODIES

- 31AA General qualifications bodies: discrimination and harassment
- 31AB Meaning of “discrimination”
- 31AC Meaning of “harassment”
- 31AD General qualifications bodies: duty to make adjustments
- 31ADA Enforcement, remedies and procedures
- 31ADB Alterations to premises occupied under leases
- 31AE Chapter 2A: claims, leased premises and certain agreements
- 31AF Chapter 2A: duty to consult before making regulations

CHAPTER 3

SUPPLEMENTARY

- 31B Conciliation for disputes
- 31C Application to Isles of Scilly

PART V

PUBLIC TRANSPORT

Taxis

- 32 Taxi accessibility regulations.
- 33 Designated transport facilities.
- 34 New licences conditional on compliance with taxi accessibility regulations.
- 35 Exemption from taxi accessibility regulations.
- 36 Carrying of passengers in wheelchairs.
- 36A List of wheelchair-accessible vehicles providing local services
- 37 Carrying of guide dogs and hearing dogs.
- 37A Carrying of assistance dogs in private hire vehicles
- 38 Appeal against refusal of exemption certificate.
- 39 Requirements as to disabled passengers in Scotland.

Public service vehicles

- 40 PSV accessibility regulations.
- 41 Accessibility certificates.
- 42 Approval certificates.
- 43 Special authorisations.
- 44 Reviews and appeals.
- 45 Fees.

Rail vehicles

- 46 Rail vehicle accessibility regulations.
- 47 Exemption from rail vehicle accessibility regulations.
- 47A Rail vehicle accessibility compliance certificates
- 47B Rail vehicle accessibility compliance certificates: supplementary
- 47C Rail vehicle accessibility compliance certificates: fees

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- 47D Penalty for using rail vehicle without accessibility compliance certificate
- 47E Penalty for using rail vehicle that does not conform with accessibility regulations
- 47F Penalty for using rail vehicle otherwise than in conformity with accessibility regulations
- 47G Sections 47E and 47F: inspection of rail vehicles
- 47H Sections 47E and 47F: supplementary powers
- 47J Penalties under sections 47D to 47H: amount, due date and recovery
- 47K Penalties under sections 47D to 47H: procedure
- 47L Penalties under sections 47D to 47H: appeals
- 47M Sections 46 to 47H: interpretation

Supplemental

- 48 Offences by bodies corporate etc.
- 49 Forgery and false statements.

PART 5A

PUBLIC AUTHORITIES

- 49A General duty
- 49B Meaning of “public authority” in Part 5A
- 49C Exceptions from section 49A(1)
- 49D Power to impose specific duties
- 49E Duties under section 49D: compliance notices
- 49F Enforcement of compliance notices

PART 5B

IMPROVEMENTS TO DWELLING HOUSES

- 49G Improvements to let dwelling houses
- 49H Conciliation of disputes
- 49I Conciliation of disputes: rented housing in Scotland

PART VI

THE NATIONAL DISABILITY COUNCIL

- 50 The National Disability Council.
- 51 Codes of practice prepared by the Council.
- 52 Further provision about codes issued under section 51.

PART VII

SUPPLEMENTAL

- 53A Codes of practice.
- 54A Codes of practice.
 - 53 Codes of practice prepared by the Secretary of State.
 - 54 Further provision about codes issued under section 53.
 - 55 Victimisation.
 - 56 Help for persons suffering discrimination.
 - 57 Aiding unlawful acts.
 - 58 Liability of employers and principals.

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- 59 Statutory authority and national security etc.
- 59A National security

PART VIII

MISCELLANEOUS

- 60 Appointment by Secretary of State of advisers.
- 61 Amendment of Disabled Persons (Employment) Act 1944.
- 62 Restriction of publicity: industrial tribunals.
- 63 Restriction of publicity: Employment Appeal Tribunal.
- 64 Application to Crown etc.
- 64A Police
- 64B Other police bodies
- 65 Application to Parliament.
- 66 Government appointments outside Part II.
- 67 Regulations and orders.
- 67A Exercise of discretion under section 67(5A)
- 67B Annual report on rail vehicle exemption orders
- 68 Interpretation.
- 69 Financial provisions.
- 70 Short title, commencement, extent etc.

SCHEDULES

SCHEDULE 1 — Provisions Supplementing Section 1

Impairment

- 1 (1) “Mental impairment” includes an impairment resulting from or consisting...

Long-term effects

- 2 (1) The effect of an impairment is a long-term effect...

Severe disfigurement

- 3 (1) An impairment which consists of a severe disfigurement is...

Normal day-to-day activities

- 4 (1) An impairment is to be taken to affect the...

Substantial adverse effects

- 5 Regulations may make provision for the purposes of this Act—...

Effect of medical treatment

- 6 (1) An impairment which would be likely to have a...

Persons deemed to be disabled

- 6A (1) Subject to sub-paragraph (2), a person who has cancer,...
- 7 (1) Sub-paragraph (2) applies to any person whose name is,...

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Progressive conditions

8 (1) Where— (a) a person has a progressive condition (such...

Interpretation

9 In this Schedule, “HIV infection” means infection by a virus...

SCHEDULE 2 — Past Disabilities

- 1 The modifications referred to in section 2 are as follows....
- 2 References in Parts II to 4 to a disabled person...
- 2A References in Chapter 1 of Part 4 to a disabled...
- 2B References in Chapter 2 of Part 4 to a disabled...
- 2C In section 3A(5), after “not having that particular disability” insert...
- 3 In section 6(1), after “not disabled” insert “ and who...
- 4 In section 6(6), for “has” substitute “ has had ”....
- 4ZA In section 24(3)(e)(i) and (f)(i), after “having” insert “ had...
- 4ZB In sections 24D(2)(a) and 24J(3)(b), for “did not have” substitute...
- 4A In section 28B(3)(a) and (4), after “disabled” insert “or that...
- 4B In section 28C(1), in paragraphs (a) and (b), after “not...
- 4C In section 28S(3)(a) and (4), after “disabled” insert “or that...
- 4D In subsection (1) of section 28T, after “not disabled” insert...
- 4E In that subsection as substituted by paragraphs 2 and 6...
- 5 For paragraph 2(1) to (3) of Schedule 1, substitute—
- 6 References in Chapter I of Part III of the 2005...
- 7 References in Chapter II of Part III of the 2005...
- 8 In Article 15(3)(a) and (4) of the 2005 Order, after...
- 9 In Article 16(1) of the 2005 Order, in sub-paragraphs (a)...
- 10 In Article 29(3)(a) and (4) of the 2005 Order, after...
- 11 In Articles 30(1)(a) and (b) and 37(1)(d), (2)(c) and (3)...
- 12 In Article 35(8) of the 2005 Order after “not having...
- 13 In Article 37(4)(b) of the 2005 Order for “has” substitute...

SCHEDULE 3 — Enforcement and Procedure

Part I — EMPLOYMENT

Conciliation

1

Restriction on proceedings for breach of Part II

2 (1) Except as provided by section 8, no civil or...

Period within which proceedings must be brought

3 (1) An employment tribunal shall not consider a complaint under...

Evidence

4 (1) In any proceedings under section 8, a certificate signed...

Part II — DISCRIMINATION IN OTHER AREAS

Restriction on proceedings for breach of Part III

5 (1) Except as provided by section 25 no civil or...

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Period within which proceedings must be brought

6 (1) A county court or a sheriff court shall not...

Staying or sisting proceedings on section 21B claim affecting criminal matters

6A (1) Sub-paragraph (2) applies where a party to proceedings under...

Restriction of remedies for section 21B claim relating to criminal matters

6B (1) Sub-paragraph (2) applies to a remedy other than—

Compensation for injury to feelings

7 In any proceedings under section 25, the amount of any...

Evidence

8 (1) In any proceedings under section 25, a certificate signed...

Part 3 — DISCRIMINATION IN SCHOOLS

9 *Restriction on proceedings for breach of Part 4, Chapter 1*

10 *Period within which proceedings must be brought*

11 *Evidence*

**Part 4 — DISCRIMINATION IN FURTHER AND HIGHER
EDUCATION INSTITUTIONS**

12 *Restriction on proceedings for breach of Part 4, Chapter 2*

13 *Period within which proceedings must be brought*

14 *Compensation for injury to feelings*

15 *Evidence*

Part 5 — DISCRIMINATION IN GENERAL QUALIFICATIONS BODIES

Restriction on proceedings for breach of Part 4, Chapter 2A

16 (1) Except as provided by section 31ADA, no civil or...

Period within which proceedings must be brought

17 (1) A county court or a sheriff court shall not...

Evidence

18 (1) In any proceedings under section 31ADA, a certificate signed...

**SCHEDULE 3A — VALIDITY OF CONTRACTS, COLLECTIVE AGREEMENTS
AND RULES OF UNDERTAKINGS**

PART I — VALIDITY AND REVISION OF CONTRACTS

PART II — COLLECTIVE AGREEMENTS AND RULES OF UNDERTAKINGS

PART III — INTERPRETATION

**SCHEDULE 3A — VALIDITY OF CONTRACTS, COLLECTIVE AGREEMENTS
AND RULES OF UNDERTAKINGS**

Part 1 — VALIDITY AND REVISION OF CONTRACTS

1 (1) A term of a contract is void where—...

2 (1) Paragraph 1(3) does not apply—

3 (1) On the application of a disabled person interested...

**Part 2 — COLLECTIVE AGREEMENTS AND RULES OF
UNDERTAKINGS**

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- 4 (1) This Part of this Schedule applies to—
5 A disabled person to whom this paragraph applies may present...
6 In the case of a complaint about—
7 In the case of a complaint about a rule made...
8 (1) When an employment tribunal finds that a complaint...
9 The avoidance by virtue of paragraph 4(2) of any term...
10 Part 3 — INTERPRETATION
10 In this Schedule “collective agreement” means any agreement relating
to...
11 Any reference in this Schedule to a contract or act...
12 Where a term to which section 26(1A)(c) applies is a...

SCHEDULE 4 — Premises Occupied Under Leases
Part I — OCCUPATION BY EMPLOYER OR TRADE ORGANISATION

Failure to obtain consent to alteration

- 1 If any question arises as to whether the occupier has...

Joining lessors in proceedings under section 8

- 2 (1) In any proceedings under section 8, in a case...

Regulations

- 3 Regulations may make provision as to circumstances in which—

Sub-leases etc.

- 4 The Secretary of State may by regulations make provision
supplementing,...

Part II — OCCUPATION BY PROVIDER OF SERVICES

Failure to obtain consent to alteration

- 5 If any question arises as to whether the occupier has...

Reference to court

- 6 (1) If the occupier has applied in writing to the...

Joining lessors in proceedings under section 25

- 7 (1) In any proceedings on a claim under section 25,...

Joining lessors in proceedings relating to group insurance or employment services

- 7A (1) In any proceedings on a complaint under section 25(8)...

Regulations

- 8 Regulations may make provision as to circumstances in which—

Sub-leases etc.

- 9 The Secretary of State may by regulations make provision
supplementing,...

Part 3 — OCCUPATION BY EDUCATIONAL INSTITUTIONS

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- 10 *Failure to obtain consent*
 - 11 *Reference to court*
 - 12 *Joining lessors in proceedings under section 28V*
 - 13 *Regulations*
 - 14 *Sub-leases etc.*
- PART 4 — OCCUPATION BY GENERAL QUALIFICATIONS BODIES

Failure to obtain consent to alteration

- 15 If any question arises as to whether a general qualifications...

Reference to court

- 16 (1) If the general qualifications body has applied in writing...

Joining lessors in proceedings under section 31ADA

- 17 (1) In any proceedings on a claim under section 31ADA...

SCHEDULE 4A — RESPONSIBLE BODIES FOR SCHOOLS

- 1 (1) The bodies responsible for schools in England and Wales...
- 2 (1) The bodies responsible for schools in Scotland are set...

SCHEDULE 4B — RESPONSIBLE BODIES FOR EDUCATIONAL INSTITUTIONS

- 1 (1) The bodies responsible for educational institutions in England and...
- 2 (1) The bodies responsible for relevant institutions in Scotland are...

SCHEDULE 4C — MODIFICATIONS OF CHAPTER 2 OF PART 4

Part 1 — MODIFICATIONS FOR ENGLAND AND WALES

- 1 For section 28R, substitute— Further education etc. provided by local...
- 2 For subsection (1) of section 28T, substitute—
- 3 In section 28W(1)(a) for “by an educational institution” substitute “...
- 4 Omit section 31A.

Part 2 — MODIFICATIONS FOR SCOTLAND

- 5 For section 28R, substitute— Further education etc. provided by education...
- 6 For subsection (1) of section 28T, substitute— :
- 7 In section 28W(1)(a) for “by an educational institution” substitute “by...
- 8 Omit section 31A.

SCHEDULE 5 — The National Disability Council

Status

- 1 (1) The Council shall be a body corporate.

Procedure

- 2 The Council has power to regulate its own procedure (including...

Membership

- 3 (1) The Council shall consist of at least 10, but...

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Term of office of members

- 4 (1) Each member shall be appointed for a term which...

Remuneration

- 5 (1) The Secretary of State may pay such remuneration or...

Staff

- 6 The Secretary of State shall provide the Council with such...

Supplementary regulation-making power

- 7 The Secretary of State may by regulations make provision—

Annual report

- 8 (1) As soon as is practicable after the end of...

SCHEDULE 6 — Consequential Amendments

Employment and Training Act 1973 (c. 50)

- 1 In section 12(1) of the Employment and Training Act 1973...

Employment Protection (Consolidation) Act 1978 (c. 44)

- 2 In section 136(1) of the Employment Protection (Consolidation) Act 1978...
3

Companies Act 1985 (c. 6)

- 4 In paragraph 9 of Schedule 7 to the Companies Act...

Local Government and Housing Act 1989 (c. 42)

- 5 In section 7 of the Local Government and Housing Act...

Enterprise and New Towns (Scotland) Act 1990 (c. 35)

- 6 In section 16 of the Enterprise and New Towns (Scotland)...

SCHEDULE 7 — Repeals

SCHEDULE 8 — Modifications of this Act in its application to Northern Ireland

- 1 In its application to Northern Ireland this Act shall have...
2 (1) In section 3(1) for “Secretary of State” substitute “...
3 In section 4(6) for “Great Britain” substitute “Northern Ireland...
4 (1) In section 7(2) for “Secretary of State” substitute “...
5 (1) In section 8(3) omit “or (in Scotland) in reparation”...
6 (1) In section 9(2)(a) for “a conciliation officer” substitute “...
7 (1) In section 10(1)(b) omit “or recognised body”.
8 — In section 12(5) for “Great Britain” where it twice...
9 (1) In section 19(3)(g) for “section 2 of the Employment...
10 In section 20(7) for paragraphs (b) and (c) substitute ;...
11 In section 22(4) and (6) omit “or (in Scotland) the...”

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- 12 (1) In section 25(1) omit “or (in Scotland) in reparation”....
- 13 In section 26(3) omit “or a sheriff court”.
- 14
- 15 Omit sections 29, 30 and 31.
- 16 (1) In section 32(1) for “Secretary of State” substitute “... ”
- 17 In section 33, for “Secretary of State”, wherever it occurs,...
- 18 For section 34 substitute— New licences conditional on compliance with...
- 19 Omit section 35.
- 20 In section 36(7) for “licensing authority” substitute “ Department of...”
- 21 (1) In section 37(5) and (6) for “licensing authority” substitute...
- 21A (1) In section 37A(5) and (6) for “licensing authority” substitute...
- 22 (1) In section 38(1) for “a licensing authority” substitute “... ”
- 23 Omit section 39.
- 24 (1) In section 40 for “Secretary of State” wherever it...
- 25 (1) In section 41(2) for “Secretary of State” substitute “... ”
- 26 (1) In section 42 for “Secretary of State” wherever it...
- 27 In section 43 for “Secretary of State” wherever it occurs...
- 28 (1) In section 44 for “Secretary of State” wherever it...
- 29 (1) In section 45 for “Secretary of State” wherever it...
- 30 (1) In section 46 for “Secretary of State” wherever it...
- 31 (1) In section 47 for “Secretary of State” wherever it...
- 32 Omit section 48(3).
- 33
- 34 (1)
- 35 For section 52 substitute— Further provisions about codes issued under...
- 36 (1) In section 53 for “Secretary of State” wherever it...
- 37 For section 54 substitute— Further provisions about codes issued under...
- 38 In section 56(2) and (4) for “Secretary of State” substitute...
- 39 In section 59(1) after “Crown” where it twice occurs insert...
- 40 (1) In section 60(1) to (3) for “Secretary of State”...
- 41 For section 61 substitute— Amendments of Disabled Persons (Employment) Act...
- 42 (1) In section 62(2) for “Secretary of State” substitute “... ”
- 43 Omit section 63.
- 44 (1) In section 64(3) for “England and Wales” substitute “... ”
- 45 Omit section 65.
- 46 For section 67 substitute— Regulations and orders etc. (1) Any power under this Act to make regulations or...
- 47 (1) For section 68(1) substitute— (1) In this Act— “accessibility...
- 48 (1) In section 70(3) for “Secretary of State” substitute “... ”
- 49 (1) In Schedule 1 in paragraph 7(1) for “Act 1944”...
- 50 (1) In Schedule 3 in paragraph 1—
- 51 (1) In Schedule 4 in paragraphs 2(1) and (5) and...
- 52
- 53 For Schedules 6 and 7 substitute— SCHEDULE 6 Consequential Amendments...

Status:

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