



# Disability Discrimination Act 1995

## 1995 CHAPTER 50

### PART II

#### EMPLOYMENT

##### *Discrimination by other persons*

#### **12 Discrimination against contract workers.**

- (1) It is unlawful for a principal, in relation to contract work, to discriminate against a disabled person—
  - (a) in the terms on which he allows him to do that work;
  - (b) by not allowing him to do it or continue to do it;
  - (c) in the way he affords him access to any benefits or by refusing or deliberately omitting to afford him access to them; or
  - (d) by subjecting him to any other detriment.
- (2) Subsection (1) does not apply to benefits of any description if the principal is concerned with the provision (whether or not for payment) of benefits of that description to the public, or to a section of the public which includes the contract worker in question, unless that provision differs in a material respect from the provision of the benefits by the principal to contract workers.
- (3) The provisions of this Part (other than subsections (1) to (3) of section 4) apply to any principal, in relation to contract work, as if he were, or would be, the employer of the contract worker and as if any contract worker supplied to do work for him were an employee of his.
- (4) In the case of an act which constitutes discrimination by virtue of section 55, this section also applies to discrimination against a person who is not disabled.
- (5) This section applies only in relation to contract work done at an establishment in Great Britain (the provisions of section 68 about the meaning of “employment at an

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*Status: Point in time view as at 16/07/2001. This version of this provision has been superseded.*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 12. (See end of Document for details)*

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establishment in Great Britain” applying for the purposes of this subsection with the appropriate modifications).

(6) In this section—

“principal” means a person (“A”) who makes work available for doing by individuals who are employed by another person who supplies them under a contract made with A;

“contract work” means work so made available; and

“contract worker” means any individual who is supplied to the principal under such a contract.

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#### **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)

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#### **Modifications etc. (not altering text)**

**C1** S. 12 modified (E.) (1.9.2003) by The Education (Modification of Enactments Relating to Employment) (England) Order (S.I. 2003/1964), art. 3, {Sch.}

**C2** S. 12 modified (E.W.) (2.3.1998) by S.I. 1998/218, art. 3, **Sch.** (with art. 1(2))  
S. 12 modified (1.9.1999) by S.I. 1999/2256, art. 3, **Sch.**

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#### **Commencement Information**

**II** S. 12 wholly in force at 2.12.1996; s. 12 not in force at Royal Assent see s. 70(3); s. 12(3)(6) in force (E.W.S.) at 6.6.1996 by S.I. 1996/1474, art. 2(1), **Sch. Pt. I**; s. 12(3)(6) in force (N.I.) at 11.7.1996 by S.R. 1996/280, art. 2(1), **Sch. Pt. I**; s. 12(1)(2)(4)(5) in force (E.W.S.) at 2.12.1996 by S.I. 1996/1474, art. 2(3), **Sch. Pt. III**; s. 12(1)(2)(4)(5) in force (N.I.) at 2.12.1996 by S.R. 1996/280, art. 2(2), **Sch. Pt. II**

**Status:**

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**Changes to legislation:**

There are currently no known outstanding effects for the Disability Discrimination Act 1995, Section 12.