



# Disability Discrimination Act 1995

## 1995 CHAPTER 50

### PART VII

#### SUPPLEMENTAL

#### 59 Statutory authority and national security etc.

[<sup>F1</sup>(1) Nothing in this Act makes unlawful any act done—

(a) in pursuance of any enactment; or

[<sup>F2</sup>(b) in pursuance of any instrument made under any enactment by—

(i) a Minister of the Crown,

(ii) a member of the Scottish Executive, <sup>F3</sup> . . .

(iii) the National Assembly for Wales [<sup>F4</sup>constituted by the Government of Wales Act 1998, or

(iv) the Welsh Ministers, the First Minister for Wales or the Counsel General to the Welsh Assembly Government.]

or

(c) to comply with any condition or requirement—

(i) imposed by a Minister of the Crown (whether before or after the passing of this Act) by virtue of any enactment,

(ii) imposed by a member of the Scottish Executive (whether before or after the coming into force of this sub-paragraph) by virtue of any enactment, <sup>F5</sup> . . .

(iii) imposed by the National Assembly for Wales [<sup>F6</sup>constituted by the Government of Wales Act 1998](whether before or after the coming into force of this sub-paragraph) by virtue of any enactment [<sup>F7</sup> or

(iv) imposed by the Welsh Ministers, the First Minister for Wales or the Counsel General to the Welsh Assembly Government.]]

(2) In subsection (1) “enactment” includes one passed or made after the date on which this Act is passed and “instrument” includes one made after that date.

*Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995, Section 59. (See end of Document for details)*

[<sup>F8</sup>(2A) Nothing in –

- (a) Part II, or
- (b) Part III to the extent that it relates to the provision of employment services, makes unlawful any act done for the purpose of safeguarding national security if the doing of the act was justified by that purpose.]

[<sup>F9</sup>(2A) Nothing in—

- (a) Part 2 of this Act, or
- (b) Part 3 of this Act to the extent that it relates to the provision of employment services, makes unlawful any act done for the purpose of safeguarding national security if the doing of the act was justified by that purpose.]

(3) Nothing in [<sup>F10</sup>any other provision of] this Act makes unlawful any act done for the purpose of safeguarding national security.]

#### Extent Information

- E1** Following the repeal of this Act for E.W.S. by the Equality Act 2010, this section now extends to Northern Ireland only and also has effect subject to the modifications for Northern Ireland set out in Sch. 8 para. 40; see [s. 70\(6\)](#)

#### Textual Amendments

- F1** 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\(h\)](#)
- F2** [S. 59\(1\)\(b\)\(c\)](#) substituted (E.W.S.) (30.6.2005) by [Disability Discrimination Act 2005 \(c. 13\)](#), ss. 19(1), 20(3)-(6), [Sch. 1 para. 30](#); [S.I. 2005/1676](#), [art. 2\(1\)\(c\)](#);
- F3** Word in [s. 59\(1\)\(b\)\(ii\)](#) omitted by virtue of [The Government of Wales Act 2006 \(Consequential Modifications and Transitional Provisions\) Order 2007 \(S.I. 2007/1388\)](#), arts. 1, 3, [Sch. 1 para. 61\(2\)](#), the amending provision coming into force immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007) - see [s. 161\(5\)](#) of the Government of Wales Act 2006.
- F4** [S. 59\(1\)\(b\)\(iv\)](#) and preceding words inserted by [The Government of Wales Act 2006 \(Consequential Modifications and Transitional Provisions\) Order 2007 \(S.I. 2007/1388\)](#), arts. 1, 3, [Sch. 1 para. 61\(3\)](#), the amending provision coming into force immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007) - see [s. 161\(5\)](#) of the Government of Wales Act 2006.
- F5** Word in [s. 59\(1\)\(c\)\(ii\)](#) omitted by virtue of [The Government of Wales Act 2006 \(Consequential Modifications and Transitional Provisions\) Order 2007 \(S.I. 2007/1388\)](#), arts. 1, 3, [Sch. 1 para. 61\(4\)](#), the amending provision coming into force immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007) - see [s. 161\(4\)](#) of the Government of Wales Act 2006.
- F6** Words in [s. 59\(1\)\(c\)\(iii\)](#) inserted by [The Government of Wales Act 2006 \(Consequential Modifications and Transitional Provisions\) Order 2007 \(S.I. 2007/1388\)](#), arts. 1, 3, [Sch. 1 para. 61\(5\)](#), the amending provision coming into force immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007) - see [s. 161\(5\)](#) of the Government of Wales Act 2006.
- F7** [S. 59\(1\)\(c\)\(iv\)](#) and preceding word inserted by [The Government of Wales Act 2006 \(Consequential Modifications and Transitional Provisions\) Order \(S.I. 2007/1388\)](#), arts. 1, 3, {[Sch. 1 para. 61\(6\)](#)},

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**Changes to legislation:** *There are currently no known outstanding effects for the Disability Discrimination Act 1995, Section 59. (See end of Document for details)*

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the amending provision coming into force immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007) - see **s. 161(5)** of the Government of Wales Act 2006.

- F8** S. 59(2A) inserted (N.I.) (21.2.2004 for certain purposes, otherwise 1.10.2004) by the Disability Discrimination Act (Amendment) Regulations (Northern Ireland) 2004 (S.R. 2004/55), regs. 1(2)(3), **23(a)**
- F9** S. 59(2A) inserted (E.W.S.) (3.7.2003 for certain purposes, otherwise 1.10.2004) by The Disability Discrimination Act 1995 (Amendment) Regulations 2003 (S.I. 2003/1673), regs. 1(2)(3), **23(a)**
- F10** Words in s. 59(3) inserted (E.W.S.) (3.7.2003 for certain purposes and otherwise 1.10.2004) by The Disability Discrimination Act 1995 (Amendment) Regulations 2003 (S.I. 2003/1673), regs. 1(2)(3), **23(b)** and said words inserted (N.I.) (21.2.2004 for certain purposes and otherwise 1.10.2004) by the Disability Discrimination Act (Amendment) Regulations (Northern Ireland) 2004 (S.R. 2004/55), regs. 1(2)(3), **23(b)**

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#### **Commencement Information**

- I1** S. 59 wholly in force at 30.5.1996; s. 59 not in force at Royal Assent see. s. 70(3); s. 59 in force (E.W.S.) at 17.5.1996 by S.I. 1996/1336, **art. 3(f)**; s. 59 in force (N.I.) at 30.5.1996 by S.R. 1996/219, **art. 3(f)**

**Changes to legislation:**

There are currently no known outstanding effects for the Disability Discrimination Act 1995, Section 59.