



Equality Act 2006

2006 CHAPTER 3

PART 4

PUBLIC FUNCTIONS

Disability discrimination

88 General duty: exceptions

In section 49C(4) of the Disability Discrimination Act 1995 (c. 50) (public authorities: general duty: exceptions) for “section 49A(1)(a), (b), (c) or (d)” substitute “one or more specified paragraphs of section 49A(1)”.

89 National security

In the Disability Discrimination Act 1995 the following shall be inserted after section 59 (statutory authority, national security, &c.)—

“59A National security

- (1) Rules of court may make provision for enabling a county court or sheriff court in which a claim is brought in respect of alleged discrimination contrary to this Act (including anything treated by virtue of this Act as amounting to discrimination contrary to this Act), where the court considers it expedient in the interests of national security—
 - (a) to exclude from all or part of the proceedings—
 - (i) the claimant;
 - (ii) the claimant’s representatives;
 - (iii) any assessors;
 - (b) to permit a claimant or representative who has been excluded to make a statement to the court before the commencement of the proceedings, or the part of the proceedings, from which he is excluded;

Status: This is the original version (as it was originally enacted).

- (c) to take steps to keep secret all or part of the reasons for the court's decision in the proceedings.
- (2) The Attorney General or, in Scotland, the Advocate General for Scotland, may appoint a person to represent the interests of a claimant in, or in any part of, proceedings from which the claimant or his representatives are excluded by virtue of subsection (1).
- (3) A person may be appointed under subsection (2) only—
 - (a) in relation to proceedings in England and Wales, if he has a general qualification (within the meaning of section 71 of the Courts and Legal Services Act 1990 (c. 41)), or
 - (b) in relation to proceedings in Scotland, if he is—
 - (i) an advocate, or
 - (ii) qualified to practice as a solicitor in Scotland.
- (4) A person appointed under subsection (2) shall not be responsible to the person whose interests he is appointed to represent.”