

EQUALITY ACT 2010

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 4: Premises

Section 34: Permission for disposal

Effect

129. This section makes it unlawful for a person whose permission is needed to dispose of premises (for example, to sell, let or sublet a property) to discriminate against or victimise someone else by withholding that permission. It also makes it unlawful for such a person to harass someone who seeks that permission, or someone to whom the property would be sold or let if the permission were given. The Act does not however make it unlawful to harass someone because of sexual orientation or religion or belief by withholding permission to dispose of premises.
130. This section does not apply where permission to dispose of premises is refused by a court in the context of legal proceedings.

Background

131. This section replaces similar provisions in previous legislation.

Example

- A disabled tenant seeks permission from his landlord to sublet a room within his flat to help him pay his rent. The landlord tells him that he cannot because he is disabled. This is direct discrimination in permission for disposing of premises.