
STATUTORY INSTRUMENTS

2006 No. 1721

**The Disability Discrimination Act 1995 (Amendment)
(Further and Higher Education) Regulations 2006**

PART 2

AMENDMENTS TO CHAPTER 2 OF PART 4 OF THE 1995 ACT

Other unlawful acts

14. The following section is inserted after new section 28UB—

“Discriminatory advertisements

28UC.—(1) It is unlawful for a responsible body to publish or cause to be published an advertisement which—

- (a) invites applications in relation to any course or student service provided or offered by it, or any qualification conferred by it, and
- (b) indicates, or might reasonably be understood to indicate, that such an application will or may be determined to any extent by reference to—
 - (i) the applicant not having any disability, or any particular disability, or
 - (ii) any reluctance on the part of the person determining the application to comply with a duty imposed on it by section 28T.

(2) Subsection (1) does not apply where it would not in fact be unlawful under this Chapter for an application to be determined in the manner indicated (or understood to be indicated) in the advertisement.

(3) In this section, “advertisement” includes every form of advertisement or notice, whether to the public or not.

- (4) Proceedings in respect of a contravention of subsection (1) may be brought only—
 - (a) by the Commission for Equality and Human Rights, and
 - (b) in accordance with section 25 of the Equality Act 2006.”.