
STATUTORY RULES OF NORTHERN IRELAND

2004 No. 374

**The Disability Discrimination (Employment Field)
(Leasehold Premises) Regulations (Northern Ireland) 2004**

Lessor withholding consent

4.—(1) For the purposes of section 18A of and Part I of Schedule 4 to the Act, a lessor is to be taken to have withheld his consent to an alteration where he has received a written application by or on behalf of the occupier⁽¹⁾ for consent to make the alteration and has failed to meet the requirements specified in paragraph (2).

(2) The requirements are that the lessor within a period of 21 days (beginning with the day on which he receives the application referred to in paragraph (1)) or such longer period as is reasonable –

- (a) replies consenting to or refusing the application, or
- (b) (i) replies consenting to the application subject to obtaining the consent of another person required under a superior lease or pursuant to a binding obligation, and
(ii) seeks that consent.

(3) A lessor who fails to meet the requirements in paragraph (2) but who subsequently meets those requirements (except as to time) –

- (a) shall be taken to have withheld his consent from the date of such failure, and
- (b) shall be taken not to have withheld his consent from the time he met those requirements (except as to time).

(4) For the purposes of this regulation, a lessor is to be treated as not having sought another person's consent unless he has applied in writing to that person indicating –

- (a) that the lessor's consent to the alteration has been applied for in order to comply with a duty to make reasonable adjustments⁽²⁾, and
- (b) that he has given his consent conditionally upon obtaining the other person's consent.

(1) The term "occupier" is defined in section 18A(1) (ex section 16(1)) of the Act, as amended by [S.R. 2004 No. 55](#), reg. 14(3)(a)
(2) The term "duty to make reasonable adjustments" is defined in section 18D(2) of the Act, inserted by [S.R. 2004 No. 55](#), reg. 18