
STATUTORY RULES OF NORTHERN IRELAND

2004 No. 55

The Disability Discrimination Act 1995
(Amendment) Regulations (Northern Ireland) 2004

PART II

AMENDMENTS TO THE ACT

Interpretation of Part II

18. In Part II of the Act, after section 18C (charities), insert the following section –

“Interpretation of Part II

18D.—(1) Subject to any duty to make reasonable adjustments, nothing in this Part is to be taken to require a person to treat a disabled person more favourably than he treats or would treat others.

(2) In this Part –

“benefits”, except in sections 4G to 4K, includes facilities and services;

“detriment”, except in section 16C(2)(b), does not include conduct of the nature referred to in section 3B (harassment);

“discriminate”, “discrimination” and other related expressions are to be construed in accordance with section 3A;

“duty to make reasonable adjustments” means a duty imposed by or under section 4A, 4B(5) or (6), 4E, 4H, 6B, 7B, 14, 14B, 14D or 16A(5);

“employer” includes a person who has no employees but is seeking to employ another person;

“harassment” is to be construed in accordance with section 3B;

“physical feature”, in relation to any premises, includes any of the following (whether permanent or temporary) –

- (a) any feature arising from the design or construction of a building on the premises,
 - (b) any feature on the premises of any approach to, exit from or access to such a building,
 - (c) any fixtures, fittings, furnishings, furniture, equipment or material in or on the premises,
 - (d) any other physical element or quality of any land comprised in the premises;
- “provision, criterion or practice” includes any arrangements.”.