

*Changes to legislation:* There are currently no known outstanding effects for the Disability Discrimination Act 1995, Paragraph 5. (See end of Document for details)

## SCHEDULES

### SCHEDULE 4

#### PREMISES OCCUPIED UNDER LEASES

##### Extent Information

- E1** In its application to Northern Ireland, this Schedule has effect subject to the modifications set out in Sch. 8; see s. 70(6)

### PART II

#### OCCUPATION BY <sup>[F1]</sup>PERSONS SUBJECT TO A DUTY UNDER SECTION 21, 21E OR 21H

##### Textual Amendments

- F1** Sch. 4 Pt. 2: words in heading substituted (E.W.S.) (4.12.2006) by [Disability Discrimination Act 2005](#) (c. 13), ss. 19(1), 20(3)-(6), [Sch. 1 para. 40\(3\)](#); S.I. 2005/2774, [art. 4\(f\)](#) and said words substituted (N.I.) (31.12.2007) by [The Disability Discrimination \(Northern Ireland\) Order 2006](#) (S.I. 2006/312 (N.I. 1)), arts. 1, 19, [Sch. 1 para. 31\(3\)](#); S.R. 2007/466, [art. 2\(i\)](#)

##### Modifications etc. (not altering text)

- C1** Sch. 4 Pt. II modified (1.10.2004) by S.I. 2001/3253, [reg. 9](#)  
**C1** Sch. 4 Pt. II modified (N.I.) (1.10.2004) by [The Disability Discrimination \(Providers of Services\) \(Adjustment of Premises\) Regulations \(Northern Ireland\) 2003](#) (S.R. 2003/109), [reg. 9](#)

#### *Failure to obtain consent to alteration*

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<sup>[F1]</sup>If any question arises as to whether the occupier has failed to comply with the section 21 duty <sup>[F2]</sup>or the duty imposed under section 21E or 21H, by failing to make a particular alteration to premises, any constraint attributable to the fact that he occupies the premises under a lease is to be ignored unless he has applied to the lessor in writing for consent to the making of the alteration.]

##### Extent Information

- E1** Following the repeal of this Act for E.W.S. by the Equality Act 2010, this provision now extends to N.I. only. Prior to that repeal, different versions of this provision had been created for N.I. and E.W.S. respectively to reflect the different amendment history for each jurisdiction. This version is based on the N.I. version as it stood at the date of the repeal. It does not reflect the history of E.W.S. effects prior to the 2010 repeal, which can be found in earlier versions.

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#### **Textual Amendments**

- F1** Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279, Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279, art. 16](#)); [S.I. 2010/2317, art. 2\(15\)\(f\)](#) (with arts. 4-25, Schs. 1-16); [S.I. 2011/1066, art. 2\(h\)](#)
- F2** Words in Sch. 4 para. 5 inserted (N.I.) (31.12.2007) by [The Disability Discrimination \(Northern Ireland\) Order 2006 \(S.I. 2006/312 \(N.I. 1\)\)](#), arts. 1, 19, [Sch. 1 para. 31\(4\)](#); [S.R. 2007/466, art. 2\(2\)\(l\)](#)

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