

*Status: Point in time view as at 01/09/2002.*

*Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995, Part 2. (See end of Document for details)*

## SCHEDULES

### [<sup>F1F1</sup>SCHEDULE 4C

#### MODIFICATIONS OF CHAPTER 2 OF PART 4

##### Textual Amendments

- F1** Sch. 4C inserted (E.W.S.) (1.9.2002) by 2001 c. 10, s. 29, **Sch. 5** (with s. 43(13)); S.I. 2002/2217, art. 3, **Sch. 1 Pt. I**
- F1** Sch. 4C substituted (30.6.2006 for certain purposes and otherwise 1.9.2006) by The Disability Discrimination Act 1995 (Amendment) (Further and Higher Education) Regulations 2006 (S.I. 2006/1721), regs. 1(2)(3), **21**

### <sup>F2</sup>PART 2

#### MODIFICATIONS FOR SCOTLAND

##### Textual Amendments

- F2** Sch. 4C inserted (E.W.S.) (1.9.2002) by 2001 c. 10, s. 29, **Sch. 5** (with s. 43(13)); S.I. 2002/2217, art. 3, **Sch. 1 Pt. I**

<sup>F3F4</sup>5 For section 28R, substitute—

##### “ Further education etc. provided by education authorities in Scotland

- (1) Subsections (2) and (3) apply to any course of further education secured by an education authority.
- (2) It is unlawful for the education authority to discriminate against a disabled person—
  - (a) in the arrangements they make for determining who should be enrolled on the course;
  - (b) in the terms on which they offer to enrol him on the course; or
  - (c) by refusing or deliberately omitting to accept an application for his enrolment on the course.
- (3) It is unlawful for the education authority to discriminate against a disabled person who has enrolled on the course in the services which they provide, or offer to provide.
- (4) “Services”, in relation to a course, means services of any description which are provided wholly or mainly for persons enrolled on the course.

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- (5) It is unlawful for an education authority to discriminate against a disabled person in the terms on which they provide, or offer to provide, recreational or training facilities.
- (6) In this Chapter “responsible body” means an education authority.
- (7) “Further education” has the meaning given in section 1(5) of the Education (Scotland) Act 1980.
- (8) “Education authority” has the meaning given in section 135(1) of that Act.”

#### Textual Amendments

- F3** Sch. 4C substituted (30.6.2006 for certain purposes and otherwise 1.9.2006) by [The Disability Discrimination Act 1995 \(Amendment\) \(Further and Higher Education\) Regulations 2006 \(S.I. 2006/1721\)](#), regs. 1, **21**
- F4** Sch. 4C inserted (E.W.S.) (1.9.2002) by [2001 c. 10, s. 29](#), **Sch. 5** (with s. 43(13)); [S.I. 2002/2217](#), art. 3, **Sch. 1 Pt. I**

**F5F6** For subsection (1) of section 28T, substitute— :

- “(1) Each responsible body must take such steps as it is reasonable for it to have to take to ensure that—
- (a) in relation to its arrangements for enrolling persons on a course of further education provided by it, and
- (b) in relation to services provided or offered by it,
- disabled persons are not placed at a substantial disadvantage in comparison with persons who are not disabled.”

#### Textual Amendments

- F5** Sch. 4C substituted (30.6.2006 for certain purposes and otherwise 1.9.2006) by [The Disability Discrimination Act 1995 \(Amendment\) \(Further and Higher Education\) Regulations 2006 \(S.I. 2006/1721\)](#), regs. 1, **21**
- F6** Sch. 4C inserted (E.W.S.) (1.9.2002) by [2001 c. 10, s. 29](#), **Sch. 5** (with s. 43(13)); [S.I. 2002/2217](#), art. 3, **Sch. 1 Pt. I**

**F7F8** In section 28W(1)(a) for “by an educational institution” substitute “by a responsible body wholly or partly for the purpose of its functions”.

#### Textual Amendments

- F7** Sch. 4C substituted (30.6.2006 for certain purposes and otherwise 1.9.2006) by [The Disability Discrimination Act 1995 \(Amendment\) \(Further and Higher Education\) Regulations 2006 \(S.I. 2006/1721\)](#), regs. 1, **21**
- F8** Sch. 4C inserted (E.W.S.) (1.9.2002) by [2001 c. 10, s. 29](#), **Sch. 5** (with s. 43(13)); [S.I. 2002/2217](#), art. 3, **Sch. 1 Pt. I**

**F9F10** Omit section 31A.]

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**Textual Amendments**

- F9** Sch. 4C substituted (30.6.2006 for certain purposes and otherwise 1.9.2006) by [The Disability Discrimination Act 1995 \(Amendment\) \(Further and Higher Education\) Regulations 2006 \(S.I. 2006/1721\)](#), regs. 1, **21**
- F10** Sch. 4C inserted (E.W.S.) (1.9.2002) by 2001 c. 10, s. 29, **Sch. 5** (with s. 43(13); S.I. 2002/2217, art. 3, **Sch. 1 Pt. I**

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