



Disability Discrimination Act 1995

1995 CHAPTER 50

PART II

[^{F1}THE EMPLOYMENT FIELD][^{F2} AND DISTRICT COUNCILS][^{F3} AND MEMBERS OF LOCALLY-ELECTABLE AUTHORITIES]

[^{F4}Relationships between locally-electable authorities and their members] [^{F5}Relationships between district councils and their members]

[^{F4}15B Authorities and their members: discrimination and harassment **E+W+S**

^{F6}

Extent Information

E1 This section extended to England, Wales and Scotland only; a separate s. 15B exists for Northern Ireland only.

Textual Amendments

F4 **Ss. 15A-15C** and cross-heading inserted (E.W.S.) (5.12. 2005 so far as the amending provision inserts s. 15A to the extent that it relates to s. 15B, and s. 15B, and 4.12.2006 so far as the amending provision is not already in force) by **Disability Discrimination Act 2005 (c. 13), ss. 1, 20(3)-(6); S.I. 2005/2774, arts. 3(a), 4(a)**

F6 Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by **Equality Act 2010 (c. 15), 216(3), Sch. 27 Pt.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)**

[^{F5}15B Councils and their members: discrimination and harassment **N.I.**

(1) It is unlawful for a council to discriminate against a disabled person who is a member of the council—

Status: There are multiple versions of this provision on screen. These apply to different geographical extents. **Skip to:** E+W+S - England, Wales and Scotland extent N.I. - Northern Ireland extent

Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995, Section 15B. (See end of Document for details)

- (a) in the opportunities which it affords the disabled person to receive training, or any other facility, for his carrying-out of official business;
 - (b) by refusing to afford, or deliberately not affording, the disabled person any such opportunities; or
 - (c) by subjecting the disabled person to any other detriment in connection with his carrying-out of official business.
- (2) It is unlawful for a council to subject a disabled person who is a member of the council to harassment in connection with his carrying-out of official business.
- (3) A member of a council is not subjected to a detriment for the purposes of subsection (1) (c) by reason of—
- (a) his not being appointed or elected to an office of the council;
 - (b) his not being appointed or elected to, or to an office of, a committee or sub-committee of the council; or
 - (c) his not being appointed or nominated in exercise of any power of the council, or of a group of bodies that includes the council, to appoint, or nominate for appointment, to any body.
- (4) Regulations may make provision as to the circumstances in which treatment is to be taken to be justified, or is to be taken not to be justified, for the purposes of section 3A(1)(b) as it has effect for the interpretation of “discriminate” in subsection (1).
- (5) Regulations under subsection (4) may (in particular) provide for section 3A(3) to apply with prescribed modifications, or not to apply, for those purposes; but treatment of a disabled person cannot be justified under subsection (4) if it amounts to direct discrimination falling within section 3A(5).
- (6) If, in a case falling within section 3A(1) as it has effect for the interpretation of “discriminate” in subsection (1), a council is under a duty imposed by section 15C in relation to a disabled person but fails to comply with that duty, its treatment of that person cannot be justified under subsection (4) unless it would have been justified even if it had complied with that duty.]

Extent Information

E2 This section extends to Northern Ireland only; a separate s. 15B for England, Wales and Scotland only repealed (1.10.2010).

Status:

There are multiple versions of this provision on screen. These apply to different geographical extents.

Skip to:

- E+W+S - England, Wales and Scotland extent
- N.I. - Northern Ireland extent

Changes to legislation:

There are currently no known outstanding effects for the Disability Discrimination Act 1995, Section 15B.