



# Disability Discrimination Act 1995

## 1995 CHAPTER 50

### PART II

#### EMPLOYMENT

##### *Premises occupied under leases*

#### **16 Alterations to premises occupied under leases**

- (1) This section applies where—
  - (a) an employer or trade organisation (“the occupier”) occupies premises under a lease;
  - (b) but for this section, the occupier would not be entitled to make a particular alteration to the premises; and
  - (c) the alteration is one which the occupier proposes to make in order to comply with a section 6 duty or section 15 duty.
- (2) Except to the extent to which it expressly so provides, the lease shall have effect by virtue of this subsection as if it provided—
  - (a) for the occupier to be entitled to make the alteration with the written consent of the lessor;
  - (b) for the occupier to have to make a written application to the lessor for consent if he wishes to make the alteration;
  - (c) if such an application is made, for the lessor not to withhold his consent unreasonably; and
  - (d) for the lessor to be entitled to make his consent subject to reasonable conditions.
- (3) In this section—
  - “lease” includes a tenancy, sub-lease or sub-tenancy and an agreement for a lease, tenancy, sub-lease or sub-tenancy; and
  - “sub-lease” and “sub-tenancy” have such meaning as may be prescribed.

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*Status: This is the original version (as it was originally enacted).*

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- (4) If the terms and conditions of a lease—
- (a) impose conditions which are to apply if the occupier alters the premises, or
  - (b) entitle the lessor to impose conditions when consenting to the occupier's altering the premises,
- the occupier is to be treated for the purposes of subsection (1) as not being entitled to make the alteration.
- (5) Part I of Schedule 4 supplements the provisions of this section.