



Disability Discrimination Act 1995

1995 CHAPTER 50

PART V

PUBLIC TRANSPORT

Rail vehicles

47 Exemption from rail vehicle accessibility regulations.

- [^{F1}[^{F2}(1) The Department for Regional Development may by order (an “exemption order”)—
- (a) authorise the use for carriage of a regulated rail vehicle even though the vehicle does not conform with the provisions of rail vehicle accessibility regulations with which it is required to conform;
 - (b) authorise a regulated rail vehicle to be used for carriage otherwise than in conformity with the provisions of rail vehicle accessibility regulations with which use of the vehicle is required to conform.
- (1A) Authority under subsection (1)(a) or (b) may be for—
- (a) any regulated rail vehicle that is specified or is of a specified description; or
 - (b) use in specified circumstances of—
 - (i) any regulated rail vehicle, or
 - (ii) any regulated rail vehicle that is specified or is of a specified description.]
- (2) Regulations may make provision with respect to exemption orders including, in particular, provision as to—
- (a) the persons by whom applications for exemption orders may be made;
 - (b) the form in which such applications are to be made;
 - (c) information to be supplied in connection with such applications;
 - (d) the period for which exemption orders are to continue in force;
 - (e) the revocation of exemption orders.

Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995, Section 47. (See end of Document for details)

- (3) After considering any application for an exemption order and consulting [^{F3}such persons as it] considers appropriate, the [^{F4}Department of the Environment] may—
- (a) make an exemption order in the terms of the application;
 - (b) make an exemption order in such other terms as [^{F5}it] considers appropriate;
 - (c) refuse to make an exemption order.
- (4) An exemption order may be made subject to such restrictions and conditions as may be specified.
- (5) In this section “specified” means specified in an exemption order.]

Extent Information

- E1** Following the repeal of this Act for E.W.S. by the Equality Act 2010, this section now extends to N.I. only. Prior to that repeal, different versions of this section 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 incorporates the N.I. modifications set out in Sch. 8 para. 31. It does not reflect the history of E.W.S. effects prior to the 2010 repeal, which can be found in earlier versions.

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** [S. 47\(1\)\(1A\)](#) substituted (N.I.) (2.9.2013) for [s. 47\(1\)](#) by [The Disability Discrimination \(Northern Ireland\) Order 2006 \(S.I. 2006/312 \(N.I. 1\)\)](#), [arts. 1](#), 8(3); [S.R. 2013/216](#), [art. 2\(a\)](#)
- F3** Words in [s. 47\(3\)](#) substituted (N.I.) by virtue of [s. 70\(6\)](#), Sch. 8 para. 31(2) of this Act
- F4** Words in [s. 47](#) substituted (N.I.) by virtue of [s. 70\(6\)](#), Sch. 8 para. 31(1) of this Act
- F5** Words in [s. 47\(3\)](#) substituted (N.I.) by virtue of [s. 70\(6\)](#), Sch. 8 para. 31(2) of this Act

Modifications etc. (not altering text)

- C1** [S. 47](#): transfer of certain functions (N.I.) (1.12.1999) by [S.R. 1999/481](#), [art. 6\(d\)](#), [Sch. 4 Pt. IV](#)

Changes to legislation:

There are currently no known outstanding effects for the Disability Discrimination Act 1995, Section 47.