



Disability Discrimination Act 1995

1995 CHAPTER 50

PART V

PUBLIC TRANSPORT

Rail vehicles

PROSPECTIVE

[^{F1}47E **Penalty for using rail vehicle that does not conform with accessibility regulations** **E+W+S**]

- [^{F2}(1) Where it appears to the Secretary of State that a regulated rail vehicle does not conform with a provision of rail vehicle accessibility regulations with which the vehicle is required to conform, the Secretary of State may give to the operator of the vehicle a notice—
- (a) identifying the vehicle, the provision and how the vehicle fails to conform with the provision; and
 - (b) specifying the improvement deadline.
- (2) The improvement deadline specified in a notice under subsection (1) may not be earlier than the end of the prescribed period beginning with the day when the notice is given to the operator.
- (3) Subsection (4) applies where—
- (a) the Secretary of State has given a notice under subsection (1);
 - (b) the improvement deadline specified in the notice has passed; and
 - (c) it appears to the Secretary of State that the vehicle still does not conform with the provision identified in the notice.
- (4) The Secretary of State may give to the operator a further notice—

Status: There are multiple prospective 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 47E. (See end of Document for details)

- (a) identifying the vehicle, the provision and how the vehicle fails to conform to the provision; and
 - (b) specifying the final deadline.
- (5) The final deadline specified in a notice under subsection (4) may not be earlier than the end of the prescribed period beginning with the day when the notice is given to the operator.
- (6) If—
- (a) the Secretary of State has given a notice under subsection (4) to the operator of a regulated rail vehicle, and
 - (b) the vehicle is used for carriage at a time after the final deadline when the vehicle does not conform with the provision identified in the notice,
- the Secretary of State may require the operator to pay a penalty.]]

Extent Information

- E1** This section extended to England, Wales and Scotland only; a separate s. 47E exists for Northern Ireland only.

Textual Amendments

- F1** [Ss. 47D-47M](#) inserted (E.W.S.) (prosp.) by [Disability Discrimination Act 2005 \(c. 13\)](#), ss. {8(1)}, 20(3)-(6)
- F2** 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\(h\)](#)

[^{F3}47E] **Penalty for using rail vehicle that does not conform with accessibility regulations** **N.I.**

- (1) Where it appears to the Department for Regional Development that a regulated rail vehicle does not conform with a provision of rail vehicle accessibility regulations with which the vehicle is required to conform, that Department may give to the operator of the vehicle a notice—
- (a) identifying the vehicle, the provision and how the vehicle fails to conform with the provision; and
 - (b) specifying the improvement deadline.
- (2) The improvement deadline specified in a notice under subsection (1) may not be earlier than the end of the prescribed period beginning with the day when the notice is given to the operator.
- (3) Subsection (4) applies where—
- (a) the Department for Regional Development has given a notice under subsection (1);
 - (b) the improvement deadline specified in the notice has passed; and
 - (c) it appears to the Department for Regional Development that the vehicle still does not conform with the provision identified in the notice.
- (4) The Department for Regional Development may give to the operator a further notice—

Status: There are multiple prospective 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 47E. (See end of Document for details)

- (a) identifying the vehicle, the provision and how the vehicle fails to conform to the provision; and
 - (b) specifying the final deadline.
- (5) The final deadline specified in a notice under subsection (4) may not be earlier than the end of the prescribed period beginning with the day when the notice is given to the operator.
- (6) If—
- (a) the Department for Regional Development has given a notice under subsection (4) to the operator of a regulated rail vehicle, and
 - (b) the vehicle is used for carriage at a time after the final deadline when the vehicle does not conform with the provision identified in the notice,
- the Department for Regional Development may require the operator to pay a penalty.]

Textual Amendments

- F3** Ss. 47D-47H, 47J-47M inserted (N.I.) (prosp.) by [The Disability Discrimination \(Northern Ireland\) Order 2006 \(S.I. 2006/312 \(N.I. 1\)\)](#), arts. 1, **10(1)**

Status:

There are multiple prospective 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 47E.