



Disability Discrimination Act 1995

1995 CHAPTER 50

PART VIII

MISCELLANEOUS

[^{F1}64A Police **E+W+S**

^{F2}

Extent Information

E1 This section extended to England, Wales and Scotland only; a separate s. 64A exists for Northern Ireland only.

Textual Amendments

- F1** [S. 64A](#) inserted (E.W.S.) (3.7.2003 for certain purposes, otherwise 1.10.2004) by virtue of [The Disability Discrimination Act 1995 \(Amendment\) Regulations 2003 \(S.I. 2003/1673\)](#), regs. 1(2)(3), **25**
- F2** Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27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}64A Police Service of Northern Ireland and the Police Service of Northern Ireland Reserve **N.I.**

- (1) For the purposes of Part II, the holding of the office of constable as a police officer shall be treated as employment –
- by the Chief Constable as respects any act done by him in relation to that office or a holder of it;
 - by the Policing Board as respects any act done by it in relation to that office or the holder of it.
- (2) For the purposes of section 58 –

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 64A. (See end of Document for details)

- (a) the holding of the office of constable as a police officer shall be treated as employment by the Chief Constable (and as not being employment by any other person); and
 - (b) anything done by a person holding such an office in the performance, or purported performance, of his functions shall be treated as done in the course of that employment.
- (3) There shall be paid out of funds put at the disposal of the Chief Constable under section 10(5) of the Police (Northern Ireland) Act 2000^{F4} –
- (a) any compensation, damages or costs awarded against the Chief Constable in any proceedings brought against him under Part II [F5 or III], and any costs incurred by him in any such proceedings so far as not recovered by him in the proceedings; and
 - (b) any sum required by the Chief Constable for the settlement of any claim made against him under Part II [F5 or III] if the settlement is approved by the Policing Board.
- (4) The Chief Constable may, in such cases and to such extent as appear to him to be appropriate, pay –
- (a) any compensation, damages or costs awarded in proceedings under Part II [F5 or III] against a police officer;
 - (b) any costs incurred and not recovered by a police officer in such proceedings; and
 - (c) any sum required in connection with the settlement of a claim that has or might have given rise to such proceedings if the settlement is approved by the Policing Board.
- (5) The Chief Constable may make arrangements for the legal representation of a police officer in any proceedings mentioned in subsection (4).
- (6) This section –
- (a) applies in relation to a person serving with the Police Service of Northern Ireland by virtue of section 98 of the Police Act 1996^{F6} or [F7 section 23 or 24 of the Serious Organised Crime and Police Act 2005] as it applies in relation to a police officer;
 - (b) applies in relation to a police officer who by virtue of paragraph 7(2)(a) or 8(4)(a) of Schedule 3 to the Police (Northern Ireland) Act 1998^{F8} is under the direction and control of the Police Ombudsman for Northern Ireland as if –
 - (i) in subsection (1) the reference to the Chief Constable included a reference to the Ombudsman;
 - (ii) in subsections (2), (4) and (5) the references to the Chief Constable were references to the Ombudsman.]

Extent Information

E2 This section extends to Northern Ireland only; a separate s. 64A for England, Wales and Scotland only repealed (1.10.2010).

Textual Amendments

F3 S. 64A, 64B inserted (N.I.) (21.2.2004 for certain purposes, otherwise 1.10.2004) by virtue of the [Disability Discrimination Act \(Amendment\) Regulations \(Northern Ireland\) 2004 \(S.R. 2004/55\)](#), regs. 1(2)(3), 25

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Changes to legislation: *There are currently no known outstanding effects for the Disability Discrimination Act 1995, Section 64A. (See end of Document for details)*

F4 2000 c. 32

F5 Words in s. 64A(3)(4) inserted (31.12.2007) by The Disability Discrimination (Northern Ireland) Order 2006 (S.I. 2006/312 (N.I. 1)), arts. 1, 6; S.R. 2007/466, **art. 2(2)(c)**

F6 1996 c. 16

F7 Words in s. 64A(6)(a) substituted (1.4.2006) by Serious Organised Crime and Police Act 2005 (c. 15), ss. 59, 178(8), **Sch. 4 para. 66**; S.I. 2006/378, **art. 4(1)**, Sch. para. 10 (subject to art. 4(2)-(7))

F8 1998 c. 32

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 64A.