

DISABILITY DISCRIMINATION ACT 2005

EXPLANATORY NOTES

SUMMARY

Public authorities

- i) **Section 1**: bring councillors, and members of the Greater London Authority, within the scope of the DDA;
- ii) **Section 2**: ensure that, with some exceptions, functions of public authorities not already covered by the DDA are brought within its scope (so that it would be unlawful for a public authority, without justification, to discriminate against a disabled person when exercising its functions);
- iii) **Section 3**: introduce a new duty on public authorities requiring them, when exercising their functions, to have due regard to the need to eliminate harassment of and unlawful discrimination against disabled persons, to promote positive attitudes towards disabled persons, to encourage participation by disabled persons in public life, and to promote equality of opportunity between disabled persons and other persons;
- iv) **Section 4**: amend section 64A of the DDA so as to clarify who the correct defendant is in the case of a claim of discrimination being made against a police officer under Part 3 of the DDA and authorise payment of compensation from the police fund in relation to such a claim;