

SCHEDULES

SCHEDULE 2

SERVICES AND PUBLIC FUNCTIONS: REASONABLE ADJUSTMENTS

The duty

- 2 (1) A must comply with the first, second and third requirements.
- (2) For the purposes of this paragraph, the reference in section 20(3), (4) or (5) to a disabled person is to disabled persons generally.
- (3) Section 20 has effect as if, in subsection (4), for “to avoid the disadvantage” there were substituted—
- “(a) to avoid the disadvantage, or
 - (b) to adopt a reasonable alternative method of providing the service or exercising the function.”
- (4) In relation to each requirement, the relevant matter is the provision of the service, or the exercise of the function, by A.
- (5) Being placed at a substantial disadvantage in relation to the exercise of a function means—
- (a) if a benefit is or may be conferred in the exercise of the function, being placed at a substantial disadvantage in relation to the conferment of the benefit, or
 - (b) if a person is or may be subjected to a detriment in the exercise of the function, suffering an unreasonably adverse experience when being subjected to the detriment.
- (6) In relation to the second requirement, a physical feature includes a physical feature brought by or on behalf of A, in the course of providing the service or exercising the function, on to premises other than those that A occupies (as well as including a physical feature in or on premises that A occupies).
- (7) If A is a service-provider, nothing in this paragraph requires A to take a step which would fundamentally alter—
- (a) the nature of the service, or
 - (b) the nature of A’s trade or profession.
- (8) If A exercises a public function, nothing in this paragraph requires A to take a step which A has no power to take.