
STATUTORY INSTRUMENTS

2003 No. 1673

The Disability Discrimination Act
1995 (Amendment) Regulations 2003

PART 2

AMENDMENTS TO THE 1995 ACT

Interpretation of Part 2

18. In Part 2, after section 18C (charities), the former section 10 moved and renumbered by regulation 11, insert the following section—

“Interpretation of Part 2

18D

(1) Subject to any duty to make reasonable adjustments, nothing in this Part is to be taken to require a person to treat a disabled person more favourably than he treats or would treat others.

(2) In this Part—

“benefits” includes facilities and services;

“detriment”, except in section 16C(2)(b), does not include conduct of the nature referred to in section 3B (harassment);

“discriminate”, “discrimination” and other related expressions are to be construed in accordance with section 3A;

“duty to make reasonable adjustments” means a duty imposed by or under section 4A, 4B(5) or (6), 4E, 6B, 7B, 7D, 14, 14B, 14D or 16A(5);

“employer” includes a person who has no employees but is seeking to employ another person;

“harassment” is to be construed in accordance with section 3B;

“physical feature”, in relation to any premises, includes any of the following (whether permanent or temporary)—

- (a) any feature arising from the design or construction of a building on the premises,
- (b) any feature on the premises of any approach to, exit from or access to such a building,
- (c) any fixtures, fittings, furnishings, furniture, equipment or material in or on the premises,
- (d) any other physical element or quality of any land comprised in the premises;

“provision, criterion or practice” includes any arrangements.”.