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STATUTORY INSTRUMENTS

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**2003 No. 1673**

**The Disability Discrimination Act  
1995 (Amendment) Regulations 2003**

**PART 2**

**AMENDMENTS TO THE 1995 ACT**

**Amendments to Schedules 2, 3 and 4**

**29. —**

(1) In Schedule 2(1) (past disabilities)—

(a) after paragraph 2B, insert the following paragraph—

“**2C** In section 3A(5), after “not having that particular disability” insert “and who has not had that particular disability”.”;

(b) for paragraph 3, substitute—

“**3.** In sections 4A(1), 4B(4), 4E(1), 6B(1), 7B(1), 7D(1), 14(1), 14B(1), 14D(1) and 16A(4), section 21A(4)(a) (in the words to be read as section 19(1)(aa)) and section 21A(6) (a) (in the words to be substituted in section 21(1)), after “not disabled” (in each place it occurs) insert “and who have not had a disability”.”;

(c) for paragraph 4, substitute—

“**4.** In sections 4A(3)(b), 4E(3)(b), 6B(3)(b), 7B(4)(b), 7D(3)(b), 14(3)(b), 14B(3)(b), 14D(3)(b) and 16A(6), for “has” (in each place it occurs) substitute “has had”.”.

(2) In Schedule 3(2) (enforcement and procedure)—

(a) in the side note, for “8(8)” substitute “17A(8)”;

(b) for paragraph 2(1), substitute—

“(1) Except as provided by Part 2, no civil or criminal proceedings may be brought against any person in respect of an act merely because the act is unlawful under that Part.”;

(c) in paragraph 3(1), for “section 8” substitute “section 17A or 25(8)”;

(d) in paragraph 3(3)(a), omit “of discrimination”;

(e) in paragraph 4(1)(3), for “section 8” substitute “section 17A or 25(8)”.

(3) In Schedule 4 (premises occupied under leases)—

(a) in the side note, for “16(5)” substitute “18A(5)”;

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(1) Schedule 2 was amended by the Special Educational Needs and Disability Act 2001 (c. 10), s.38.

(2) Part 1 of Schedule 3 was amended by the Employment Tribunals Act 1996 (c. 17), s.45, Sch.3, Pt I; the Employment Rights (Dispute Resolution) Act 1998 (c. 8), s.1(2)(a); and the Employment Relations Act 1999 (c. 26), ss.41, 44, Sch.8, para 7, Sch.9, Table 12.

(3) Paragraph 4 was amended by the Employment Relations Act 1999 (c. 26), ss.41, 44, Sch.8, para 7, Sch.9, Table 12.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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- (b) in the heading to Part 1 of the Schedule, for “EMPLOYER OR TRADE ORGANISATION” substitute “EMPLOYER etc”;
- (c) in paragraph 1, for “the section 6 or section 15 duty” substitute “any duty to make reasonable adjustments”;
- (d) in the cross-heading preceding paragraph 2, for “section 8” substitute “section 17A or 25(8)”;
- (e) in paragraph 2(1)—
  - (i) for “section 8” substitute “section 17A or 25(8)”;
  - (ii) for “section 16” substitute “section 18A”;
- (f) in paragraph 2(8) and (9), for “section 8(2)” substitute “section 17A(2)”;
- (g) in paragraphs 3 and 4, for “section 16” substitute “section 18A”.