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STATUTORY INSTRUMENTS

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**2007 No. 2405**

**The Disability Discrimination Act 1995 (Amendment etc.) (General Qualifications Bodies) (Alteration of Premises and Enforcement) Regulations 2007**

**PART 4**

**Leasehold Premises**

**Modification of section 31ADB and paragraphs 15 to 17 of Schedule 4**

**13.**—(1) This regulation applies where a general qualifications body occupies premises under a sub-lease or sub-tenancy (within the meaning of section 31ADB of the 1995 Act).

(2) Section 31ADB of the 1995 Act has effect as if—

- (a) in paragraphs (a) and (b) of subsection (2), for “the lessor” there were substituted “its immediate landlord”;
- (b) in paragraphs (c) and (d) of that subsection, for “the lessor” there were substituted “the immediate landlord”;
- (c) after subsection (2) there were inserted—

“(2A) Except to the extent to which it expressly so provides, any superior lease in respect of the premises shall have effect in relation to the lessor and lessee who are parties to that superior lease as if it provided—

- (a) for the lessee to be entitled to give his consent to the alteration with the written consent of the lessor;
- (b) for the lessee to have to make a written application to the lessor for consent if he wishes to give his consent to the alteration;
- (c) if such an application is made, for the lessor not to withhold his consent unreasonably; and
- (d) for the lessor to be entitled to make his consent subject to reasonable conditions.”

(3) Schedule 4 to the 1995 Act has effect as if—

- (a) in paragraphs 15 and 16(1), for “the lessor” in each place where it occurs there were substituted “its immediate landlord”;
- (b) after paragraph 16(1) there were inserted—

“(1A) Where the lessee of any superior lease in relation to the premises has applied in writing to his lessor for consent to the alteration and—

- (a) that consent has been refused, or
- (b) the lessor has made his consent subject to one or more conditions,

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the general qualifications body, the lessee or a disabled person who has an interest in the proposed alteration to the premises being made may refer the matter to a county court or, in Scotland, to the sheriff.”; and

- (c) in paragraph 17(1), for “the lessor”, there were substituted “any lessor (including any superior landlord)”.