

*Status: There are multiple versions of this provision on screen. These apply to different geographical extents. Skip to: E+W+S - England, Wales and Scotland extent N.I. - Northern Ireland extent*

*Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995, Section 49A. (See end of Document for details)*



# Disability Discrimination Act 1995

## 1995 CHAPTER 50

### <sup>F1</sup>[<sup>F2</sup>PART 5A

#### PUBLIC AUTHORITIES]

#### [<sup>F2</sup>49A General duty **E+W+S**

<sup>F3</sup> .....

#### Extent Information

**E1** This section extended to England, Wales and Scotland only; a separate s. 49A exists for Northern Ireland only.

#### Textual Amendments

- F2** [Pt. 5A](#) (ss. 49A-49F) inserted (E.W.S.) (30.6.2005 for s. 49D for certain purposes, 5.12.2005 for s. 49A(1) for certain purposes, and 49B-49F so far as not already in force, and otherwise 4.12.2006) by [Disability Discrimination Act 2005 \(c. 13\)](#), ss. 3, 20(3)-(6); [S.I. 2005/1676, art. 2\(2\)\(b\)](#); [S.I. 2005/2774, arts. 3\(b\), 4\(a\)](#) [Editorial note: The E.W.S versions of ss. 49C-49F were inserted along with the Part heading "Pt. 5A Public authorities" and should appear under that heading]
- F3** Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279, Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279, art. 16](#)); [S.I. 2010/2317, art. 2\(15\)\(f\)](#) (with arts. 4-25, Schs. 1-16); [S.I. 2011/1066, art. 2\(h\)](#)

#### [<sup>F1</sup>49A General duty **N.I.**

- (1) Every public authority shall in carrying out its functions have due regard to—
  - (a) the need to promote positive attitudes towards disabled persons; and
  - (b) the need to encourage participation by disabled persons in public life.
- (2) Subsection (1) does not apply to—

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- (a) the functions of the Director of Public Prosecutions for Northern Ireland relating to the prosecution of offences; or
  - (b) any act of a description prescribed by regulations.
- (3) Subsection (1) is without prejudice to any obligation of a public authority to comply with any other statutory provision (including any other provision of this Act).
- (4) The Commission shall—
- (a) keep under review the effectiveness of the duty imposed by this section;
  - (b) offer advice to public authorities and others in connection with that duty.
- (5) Not later than 3 years after the appointed day, the Commission shall prepare and publish a report on the effectiveness of the duty imposed by this section.
- (6) In this section—
- “the appointed day” means the day appointed under Article 1(2) of the Disability Discrimination (Northern Ireland) Order 2006 for the coming into operation of Article 5 of that Order;
  - “the Commission” means the Equality Commission for Northern Ireland;
  - “public authority” has the same meaning as in section 75 of the Northern Ireland Act 1998 (c. 47).]

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