



# Chronically Sick and Disabled Persons Act 1970

## 1970 CHAPTER 44

### *Premises open to public*

#### **4 Access to, and facilities at, premises open to the public.**

- (1) Any person undertaking the provision of any building or premises to which the public are to be admitted, whether on payment or otherwise, shall, in the means of access both to and within the building or premises, and in the parking facilities and sanitary conveniences to be available (if any), make [<sup>F1</sup>provision, in so far as it is in the circumstances both practicable and reasonable][<sup>F1</sup>appropriate provision], for the needs of members of the public visiting the building or premises who are disabled [<sup>F2</sup>unless such body as may be prescribed by the Secretary of State is satisfied, after carrying out any procedures which may be so prescribed, that in the circumstances it is either not practicable to make such provision or not reasonable that such provision should be made; and different bodies and different procedures may be prescribed for different classes of buildings or other premises to which this subsection applies][<sup>F3</sup>unless such body as may be prescribed by the Secretary of State is satisfied, after carrying out any procedures which may be so prescribed, that in the circumstances it is either not practicable to make such provision or not reasonable that such provision should be made.]

[<sup>F4</sup>(1A) In subsection (1) above “appropriate provision”, in relation to any case, means provision conforming with so much of the Code of Practice for Access for the Disabled to Buildings as is relevant to that case and “prescribed” means prescribed by regulations made by statutory instrument, which shall be subject to annulment in pursuance of a resolution of either House of Parliament; and in the foregoing provisions of this subsection “the Code of Practice for Access for the Disabled to Buildings” means the British Standards Institution code of practice referred to as BS 5810: 1979.]

- (2) This section shall not apply to any building or premises intended for purposes mentioned in subsection (2) of section 8 [<sup>F5</sup>or in subsection (2) of section 8A] of this Act.

**Changes to legislation:** There are currently no known outstanding effects for the Chronically Sick and Disabled Persons Act 1970, Cross Heading: Premises open to public. (See end of Document for details)

### Textual Amendments

- F1** Words “appropriate provision” substituted (*prosp.*) (E.W.S.) for words commencing “provision, in so far as” by (S.) [Local Government \(Miscellaneous Provisions\) \(Scotland\) Act 1981 \(c. 23, SIF 81:2\)](#), [ss. 37\(1\)\(a\)](#), 43(4) and (E.W.) [Disabled Persons Act 1981 \(c. 43, SIF 81:3\)](#), [s. 6\(1\)\(6\)](#)
- F2** Words added (*prosp.*) (E.W.) by [Disabled Persons Act 1981 \(c. 43, SIF 81:3\)](#), [s. 6\(1\)\(b\)](#)
- F3** Words added (*prosp.*) (S.) by [Local Government \(Miscellaneous Provisions\) \(Scotland\) Act 1981 \(c. 23, SIF 81:2\)](#), [ss. 37\(1\)\(b\)](#), 43(4)
- F4** [S. 4\(1A\)](#) inserted (*prosp.*) (E.W.S.) by (S.) [Local Government \(Miscellaneous Provisions\) \(Scotland\) Act 1981 \(c. 23, SIF 81:2\)](#), [s. 37\(2\)](#) and (E.W.) [Disabled Persons Act 1981 \(c. 43, SIF 81:3\)](#), [s. 6\(2\)\(6\)](#) (the commas after “appropriate provision” and “any case” being omitted as regards (S.) )
- F5** Words inserted by [Chronically Sick and Disabled Persons \(Amendment\) Act 1976 \(c. 49, SIF 81:3\)](#), [s. 1](#)

## 5 Provision of public sanitary conveniences.

- (1) Where any local authority undertake the provision of a public sanitary convenience, it shall be the duty of the authority, in doing so, to make [<sup>F6</sup>provision, in so far as it is in the circumstances both practicable and reasonable][<sup>F6</sup>appropriate provision], for the needs of disabled persons [<sup>F7</sup>unless such body as may be prescribed by the Secretary of State is satisfied, after carrying out any procedures which may be so prescribed, that in the circumstances it is either not practicable to make such provision or not reasonable that such provision should be made; and different bodies and different procedures may be prescribed for different classes of buildings or other premises to which this subsection applies][<sup>F8</sup>unless such body as may be prescribed by the Secretary of State is satisfied, after carrying out any procedures which may be so prescribed, that in the circumstances it is either not practicable to make such provision or not reasonable that such provision should be made.]
- [<sup>F9</sup>(1A) Subsection (1A) of section 4 of this Act shall apply in relation to the interpretation of the last foregoing subsection of this section as the said subsection (1A) applies in relation to the interpretation of subsection (1) of that section.]
- (2) Any local authority which in any public sanitary convenience provided by them make or have made provision for the needs of disabled persons shall take such steps as may be reasonable, by sign-posts or similar notices, to indicate the whereabouts of the convenience.
- (3) In this section “local authority” means a local authority within the meaning of the <sup>M1</sup>Local Government Act 1933 or the Local Government (Scotland) Act [<sup>F10M2</sup>1973] and any joint board or joint committee of which all the constituent authorities are local authorities within the meaning of either of those Acts.

### Textual Amendments

- F6** Words “appropriate provision” substituted (*prosp.*) (E.W.S.) for words commencing “provision, in so far as” by (S.) [Local Government \(Miscellaneous Provisions\) \(Scotland\) Act 1981 \(c. 23, SIF 81:2\)](#), [ss. 37\(1\)\(a\)](#), 43(4) and (E.W.) [Disabled Persons Act 1981 \(c. 43, SIF 81:3\)](#), [s. 6\(1\)\(b\)](#)
- F7** Words added (*prosp.*) (E.W.) by [Disabled Persons Act 1981 \(c. 43, SIF 81:3\)](#), [s. 6\(1\)\(b\)\(6\)](#)
- F8** Words added (*prosp.*) (S.) by [Local Government \(Miscellaneous Provisions\) \(Scotland\) Act 1981 \(c. 23, SIF 81:2\)](#), [ss. 37\(1\)\(b\)](#), 43(4)

*Changes to legislation:* There are currently no known outstanding effects for the Chronically Sick and Disabled Persons Act 1970, Cross Heading: Premises open to public. (See end of Document for details)

- F9** S. 5(1A) inserted (*prosp.*) (E.W.S.) by (S.) Local Government (Miscellaneous Provisions) (Scotland) Act 1981 (c. 23, SIF 81:2), s. 37(3) and (E.W.) Disabled Persons Act 1981 (c. 43, SIF 81:3), s. 6(3)(6)
- F10** Word substituted by Local Government (Scotland) Act 1973 (c. 65), s. 141

#### Marginal Citations

- M1** 1933 c. 51.
- M2** 1973 c. 65.

## 6 Provision of sanitary conveniences at certain premises open to the public.

- (1) Any person upon whom a notice is served with respect to any premises under [F11section 89 of the M3Public Health Act 1936][F11section 20 of the Local Government (Miscellaneous Provisions) Act 1976] (which empowers local authorities by notice to make requirements as to the provision and maintenance of sanitary conveniences for the use of persons frequenting certain premises . . . F12) shall in complying with that notice make provision, in so far as it is in the circumstances both practicable and reasonable, for the needs of persons frequenting those premises who are disabled.
- (2) The owner of a building, [F13who has been ordered under section 11(4) of the M4Building (Scotland) Act 1959 to make the building conform to][F13on whom a building regulations compliance notice has been served under section 25(3) of the Building (Scotland) Act 2003 (asp 8) requiring the owner to secure that the building complies with] a provision of building [F14standards] regulations made under [F15section 3][F15section 1] of that Act requiring the provision of suitable and sufficient sanitary conveniences therein, shall in complying with that [F16order][F16notice] make provision, in so far as it is in the circumstances both practicable and reasonable, for the needs of persons frequenting that building who are disabled

#### Textual Amendments

- F11** Words commencing “section 20” substituted (E.W.) for words commencing “section 89” by Local Government (Miscellaneous Provisions) Act 1976 (c. 57, SIF 81:1), s. 20(10)
- F12** Words repealed (E.W.) by Local Government (Miscellaneous Provisions) Act 1976 (c. 57, SIF 81:1), Sch. 2
- F13** Words in s. 6(2) substituted (S.) (1.5.2005) by Building (Scotland) Act 2003 (asp 8), s. 59(1), Sch. 6 para. 5(a) (with s. 53); S.S.I. 2004/404, art. 2(1)
- F14** Word in s. 6(2) repealed (S.) (1.5.2005) by Building (Scotland) Act 2003 (asp 8), s. 59(1), Sch. 6 para. 5(b) (with s. 53); S.S.I. 2004/404, art. 2(1)
- F15** Words in s. 6(2) substituted (S.) (1.5.2005) by Building (Scotland) Act 2003 (asp 8), s. 59(1), Sch. 6 para. 5(c) (with s. 53); S.S.I. 2004/404, art. 2(1)
- F16** Word in s. 6(2) substituted (S.) (1.5.2005) by Building (Scotland) Act 2003 (asp 8), s. 59(1), Sch. 6 para. 5(d) (with s. 53); S.S.I. 2004/404, art. 2(1)

#### Modifications etc. (not altering text)

- C1** S. 6 extended (E.W.) by Local Government Act 1972 (c. 70), s. 180

#### Marginal Citations

- M3** 1936 c. 49.
- M4** 1959 c. 24.

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*Changes to legislation:* There are currently no known outstanding effects for the Chronically Sick and Disabled Persons Act 1970, Cross Heading: Premises open to public. (See end of Document for details)

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[<sup>F17</sup> **Signs at buildings, etc.**

- (1) Where any provision required by or under section 4, 5, 6, 8 or 8A of this Act is made at a building or premises—
  - (a) a notice or sign indicating that provision is made for the disabled shall be displayed outside the building or premises or so as to be visible from outside the building to premises; and
  - (b) notices or signs shall be displayed in the building or on the premises indicating the places where such provision is made and appropriate routes for persons who are disabled to get to those places.
- (2) Subsection 1(a) above applies to a sanitary convenience provided elsewhere than in a building, and not itself being a building, as it applies to a building.
- (3) Where parking facilities for persons who are disabled are provided under section 4 of this Act, notices or signs shall be displayed indicating an appropriate route for such persons to get from the place where the parking facilities are provided to the building or premises in connection with which they are provided.]

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**Textual Amendments**

**F17** S. 7 substituted by [Disabled Persons Act 1981 \(c. 43, SIF 81:3\)](#), **s. 5**

**Changes to legislation:**

There are currently no known outstanding effects for the Chronically Sick and Disabled Persons Act 1970, Cross Heading: Premises open to public.