



Disability Discrimination Act 1995

1995 CHAPTER 50

PART V

PUBLIC TRANSPORT

Supplemental

48 Offences by bodies corporate etc.

- (1) Where an offence under section 40 or 46 committed by a body corporate is committed with the consent or connivance of, or is attributable to any neglect on the part of, a director, manager, secretary or other similar officer of the body, or a person purporting to act in such a capacity, he as well as the body corporate is guilty of the offence.
- (2) In subsection (1) “director”, in relation to a body corporate whose affairs are managed by its members, means a member of the body corporate.
- (3) Where, in Scotland, an offence under section 40 or 46 committed by a partnership or by an unincorporated association other than a partnership is committed with the consent or connivance of, or is attributable to any neglect on the part of, a partner in the partnership or (as the case may be) a person concerned in the management or control of the association, he, as well as the partnership or association, is guilty of the offence.

Extent Information

- E1** In its application to Northern Ireland, this section has effect subject to the modifications set out in Sch. 8; see [s. 70\(6\)](#)

Commencement Information

- II** [S. 48](#) fully in force at 21.1.2003; [s. 48](#) not in force at Royal Assent see [s. 70\(3\)\(6\)](#), [Sch. 8 para. 48\(1\)](#); [s. 48](#) in force for certain purposes (E.W.S.) at 13.5.1998 by [S.I. 1998/1282, art. 2](#); [s. 48](#) in force for certain purposes (N.I.) at 13.5.1998 by [S.R. 1998/183, art. 2](#); [s. 48](#) in force (E.W.S.) at 30.8.2000 to the

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extent not previously in force by [S.I. 2000/1969, art. 2](#); [s. 48](#) in force (N.I.) at 21.1.2003 to the extent not previously in force by [S.R. 2003/24, art. 2](#)

49 Forgery and false statements.

- (1) In this section “relevant document” means—
- (a) a certificate of exemption issued under section [^{F1}section 36, 37 or 37A];
 - (b) a notice of a kind mentioned in [^{F2}section 36(9)(b), 37(8)(b) or 37A(8)(b)];
 - (c) an accessibility certificate; or
 - (d) an approval certificate.
- (2) A person is guilty of an offence if, with intent to deceive, he—
- (a) forges, alters or uses a relevant document;
 - (b) lends a relevant document to any other person;
 - (c) allows a relevant document to be used by any other person; or
 - (d) makes or has in his possession any document which closely resembles a relevant document.
- (3) A person who is guilty of an offence under subsection (2) is liable—
- (a) on summary conviction, to a fine not exceeding the statutory maximum;
 - (b) on conviction on indictment, to imprisonment for a term not exceeding two years or to a fine or to both.
- (4) A person who knowingly makes a false statement for the purpose of obtaining an accessibility certificate or an approval certificate is guilty of an offence and liable on summary conviction to a fine not exceeding level 4 on the standard scale.

Textual Amendments

- F1** Words in [s. 49\(1\)\(a\)](#) substituted (31.12.2003 for certain purposes and otherwise 31.3.2004 as respects private hire vehicles licensed in England and Wales, 1.1.2008 for certain purposes and otherwise 1.6.2008 as respects a private hire vehicle licensed by the Department of the Environment in Northern Ireland) by [Private Hire Vehicles \(Carriage of Guide Dogs etc.\) Act 2002 \(c. 37\), ss. 4\(2\), 6\(2\)](#); [S.I. 2003/3123, art. 2](#); [S.I. 2007/3477, art. 2](#)
- F2** Words in [s. 49\(1\)\(b\)](#) substituted (31.12.2003 for certain purposes and otherwise 31.3.2004 as respects private hire vehicles licensed in England and Wales, 1.1.2008 for certain purposes and otherwise 1.6.2008 as respects a private hire vehicle licensed by the Department of the Environment in Northern Ireland) by [Private Hire Vehicles \(Carriage of Guide Dogs etc.\) Act 2002 \(c. 37\), ss. 4\(3\), 6\(2\)](#); [S.I. 2003/3123, art. 2](#); [S.I. 2007/3477, art. 2](#)

Commencement Information

- I2** [S. 49](#) not in force at Royal Assent see [s. 70\(2\)\(3\)](#); [s. 49](#) in force for E.W.S. for certain purposes at 6.4.2005 by [S.I. 2005/1122, art. 2](#); [s. 49](#) in force for N.I. for certain purposes at 3.6.2008 by [S.R. 2008/236, art. 2](#)

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