



# Disability Discrimination Act 1995

## 1995 CHAPTER 50

### PART V

#### PUBLIC TRANSPORT

##### *Supplemental*

#### 48 Offences by bodies corporate etc.

[<sup>F1</sup>(1) Where an offence under section 40 [<sup>F2</sup>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) <sup>F3</sup>.....]

#### **Extent Information**

**E1** Following the repeal of this Act for E.W.S. by the Equality Act 2010, this section now extends to Northern Ireland only. It incorporates the modifications for N.I. set out in Sch. 8 para. 32; see s. 70(6)

#### **Textual Amendments**

**F1** Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27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\(h\)](#)

**F2** Words in s. 48(1) repealed (E.W.S.) (22.2.2010 for certain purposes, otherwise 6.4.2010) by [Disability Discrimination Act 2005 \(c. 13\)](#), ss. 19(2), 20(3)-(6), [Sch. 2](#); [S.I. 2010/341](#), [art. 2\(1\)\(c\)\(2\)\(c\)](#)

**F3** S. 48(3) omitted (N.I.) by virtue of Sch. 8 para. 32 of this Act, see s. 70(6)

*Status: Point in time view as at 01/10/2010.*

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

### 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 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.

- [<sup>F4</sup>(1) In this section “relevant document” means—
- (a) a certificate of exemption issued under section [<sup>F5</sup>section 36, 37 or 37A];
  - (b) a notice of a kind mentioned in [<sup>F6</sup>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.]

### Extent Information

- E2** Following the repeal of this Act for E.W.S. by the Equality Act 2010, this section now extends to N.I. only.

### Textual Amendments

- F4** 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)
- F5** 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
- F6** 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

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#### **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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**Changes to legislation:**

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