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**Status:** Point in time view as at 31/12/2007. There are multiple versions of this provision on screen. These apply to different geographical extents. This version of this provision has been superseded.  
**Changes to legislation:** There are currently no known outstanding effects for the Disability Discrimination Act 1995, Paragraph 5. (See end of Document for details)

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## SCHEDULES

### SCHEDULE 4

#### PREMISES OCCUPIED UNDER LEASES

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##### Extent Information

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

#### PART II

#### OCCUPATION BY [F1] PERSONS SUBJECT TO A DUTY UNDER SECTION 21, 21E OR 21H]

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##### Textual Amendments

- F1** Sch. 4 Pt. 2: words in heading substituted (E.W.S.) (4.12.2006) by [Disability Discrimination Act 2005](#) (c. 13), ss. 19(1), 20(3)-(6), [Sch. 1 para. 40\(3\)](#); S.I. 2005/2774, [art. 4\(f\)](#) and said words substituted (N.I.) (31.12.2007) by [The Disability Discrimination \(Northern Ireland\) Order 2006](#) (S.I. 2006/312 (N.I. 1)), arts. 1, 19, [Sch. 1 para. 31\(3\)](#); S.R. 2007/466, [art. 2\(i\)](#)

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

- C1** Sch. 4 Pt. II modified (1.10.2004) by S.I. 2001/3253, [reg. 9](#)  
**C2** Sch. 4 Pt. II modified (N.I.) (1.10.2004) by [The Disability Discrimination \(Providers of Services\) \(Adjustment of Premises\) Regulations \(Northern Ireland\) 2003](#) (S.R. 2003/109), [reg. 9](#)

#### *Failure to obtain consent to alteration*

- 5 If any question arises as to whether the occupier has failed to comply with the section 21 duty [F2] or a duty imposed under section 21E or 21H], by failing to make a particular alteration to premises, any constraint attributable to the fact that he occupies the premises under a lease is to be ignored unless he has applied to the lessor in writing for consent to the making of the alteration.

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##### Extent Information

- E2** This version of this provision extends to England and Wales and Scotland only; a separate version has been created for Northern Ireland only

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 Disability Discrimination Act 1995, Paragraph 5. (See end of Document for details)*

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**Textual Amendments**

- F2** Words in [Sch. 4 para. 5](#) inserted (E.W.S.) (4.12.2006) by [Disability Discrimination Act 2005 \(c. 13\)](#), ss. 19(1), 20(3)–(6), [Sch. 1 para. 40\(4\)](#); S.I. 2005/2774, [art. 4](#)

- 5 If any question arises as to whether the occupier has failed to comply with the section 21 duty [<sup>F3</sup>or the duty imposed under section 21E or 21H], by failing to make a particular alteration to premises, any constraint attributable to the fact that he occupies the premises under a lease is to be ignored unless he has applied to the lessor in writing for consent to the making of the alteration.

**Extent Information**

- E3** This version of this provision extends to Northern Ireland only. A separate version has been created for England and Wales and Scotland only

**Textual Amendments**

- F3** Words in [Sch. 4 para. 5](#) inserted (N.I.) (31.12.2007) by [The Disability Discrimination \(Northern Ireland\) Order 2006 \(S.I. 2006/312 \(N.I. 1\)\)](#), arts. 1, 19, [Sch. 1 para. 31\(4\)](#); S.R. 2007/466, [art. 2\(2\)\(I\)](#)

**Status:**

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**Changes to legislation:**

There are currently no known outstanding effects for the Disability Discrimination Act 1995, Paragraph 5.