

Status: Point in time view as at 05/12/2005.

Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995, Cross Heading: Joining lessors in proceedings relating to group insurance or employment services. (See end of Document for details)

SCHEDULES

SCHEDULE 4

PREMISES OCCUPIED UNDER LEASES

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 PROVIDER OF SERVICES

Modifications etc. (not altering text)

- C1** Sch. 4 Pt. II modified (1.10.2004) by S.I. 2001/3253, **reg. 9**
C1 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**

^{F1}Joining lessors in proceedings relating to group insurance or employment services

Textual Amendments

- F1** Sch. 4 para. 7A and cross-heading inserted (E.W.S.) (5.12.2005) by Disability Discrimination Act 2005 (c. 13), ss. 19(1), 20(3)-(6), **Sch. 1 para. 40(6)**; S.I. 2005/2774, **art. 3(j)**

- 7A** (1) In any proceedings on a complaint under section 25(8) in a case to which section 27 applies, the complainant or the occupier may ask the tribunal hearing the complaint to direct that the lessor be joined or sisted as a party to the proceedings.
- (2) The request shall be granted if it is made before the hearing of the complaint begins.
- (3) The tribunal may refuse the request if it is made after the hearing of the complaint begins.
- (4) The request may not be granted if it is made after the tribunal has determined the complaint.
- (5) Where a lessor has been so joined or sisted as a party to the proceedings, the tribunal may determine—
- (a) whether the lessor has—
- (i) refused consent to the alteration, or

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- (ii) consented subject to one or more conditions; and
 - (b) if so, whether the refusal or any of the conditions was unreasonable.
- (6) If, under sub-paragraph (5), the tribunal determines that the refusal or any of the conditions was unreasonable it may take one or more of the following steps—
 - (a) make such declaration as it considers appropriate;
 - (b) make an order authorising the occupier to make the alteration specified in the order;
 - (c) order the lessor to pay compensation to the complainant.
- (7) An order under sub-paragraph (6)(b) may require the occupier to comply with conditions specified in the order.
- (8) Any step taken by the tribunal under sub-paragraph (6) may be in substitution for, or in addition to, any step taken by the tribunal under section 17A(2).
- (9) If the tribunal orders the lessor to pay compensation it may not make an order under section 17A(2) ordering the occupier to do so.]

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