

Status: Point in time view as at 30/06/2006.

Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995, Part 2. (See end of Document for details)

SCHEDULES

[^{F1}SCHEDULE 4C

MODIFICATIONS OF CHAPTER 2 OF PART 4

Textual Amendments

- F1** Sch. 4C substituted (30.6.2006 for certain purposes and otherwise 1.9.2006) by [The Disability Discrimination Act 1995 \(Amendment\) \(Further and Higher Education\) Regulations 2006 \(S.I. 2006/1721\)](#), regs. 1(2)(3), **21**

PART 2

MODIFICATIONS FOR SCOTLAND – FURTHER EDUCATION]

13 The following is substituted for section 28R—

“28R Further education etc provided by education authorities in Scotland

- (1) Subsections (2) and (3) apply to any course of further education secured by an education authority.
- (2) It is unlawful for the education authority to discriminate against a disabled person—
 - (a) in the arrangements they make for determining who should be enrolled on the course;
 - (b) in the terms on which they offer to enrol him on the course; or
 - (c) by refusing or deliberately omitting to accept an application for his enrolment on the course.
- (3) It is unlawful for the education authority to discriminate against a disabled person who has enrolled on the course in the services which they provide or offer to provide.
- (4) It is unlawful for the education authority to subject to harassment a disabled person who—
 - (a) seeks enrolment on a course offered by that authority,
 - (b) is enrolled on a course offered by that authority, or
 - (c) is a user of services provided by that authority.
- (5) “Services“, in relation to a course, means services of any description which are provided wholly or mainly for persons enrolled on the course.

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- (6) In this Chapter —
- “Responsible body” means an education authority;
 - “Further education” has the meaning given in section 1(5) of the Education (Scotland) Act 1980;
 - “Education authority” has the meaning given in section 135(1) of that Act.”.
- 14 Subsections (1A) to (1D) of section 28T are omitted and the following subsection is substituted for subsection (1) of that section—
- “(1) Each responsible body must take such steps as it is reasonable for it to have to take to ensure that—
- (a) in relation to its arrangements for enrolling persons on a course of further education provided by it, and
 - (b) in relation to services provided or offered by it,
- disabled persons are not placed at a substantial disadvantage in comparison with persons who are not disabled.”.
- 15 In subsections (2) and (4) of section 28T, for “any of subsections (1) to (1D)” there is substituted “ subsection (1) ”.
- 16 In section 28W(1)(a) for “by an educational institution” there is substituted “ by a responsible body wholly or partly for the purpose of its functions ”.
- 17 Section 31A is omitted.

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