



# Disability Discrimination Act 1995

## 1995 CHAPTER 50

### PART II

#### [<sup>F1</sup>THE EMPLOYMENT FIELD]

#### *[<sup>F1</sup>Trade and professional bodies*

#### [<sup>F1</sup>14A Qualifications bodies: discrimination and harassment

- (1) It is unlawful for a qualifications body to discriminate against a disabled person—
  - (a) in the arrangements which it makes for the purpose of determining upon whom to confer a professional or trade qualification;
  - (b) in the terms on which it is prepared to confer a professional or trade qualification on him;
  - (c) by refusing or deliberately omitting to grant any application by him for such a qualification; or
  - (d) by withdrawing such a qualification from him or varying the terms on which he holds it.
- (2) It is also unlawful for a qualifications body, in relation to a professional or trade qualification conferred by it, to subject to harassment a disabled person who holds or applies for such a qualification.
- (3) In determining for the purposes of subsection (1) whether the application by a qualifications body of a competence standard to a disabled person constitutes discrimination within the meaning of section 3A, the application of the standard is justified for the purposes of section 3A(1)(b) if, but only if, the qualifications body can show that—
  - (a) the standard is, or would be, applied equally to persons who do not have his particular disability; and
  - (b) its application is a proportionate means of achieving a legitimate aim.

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*Status: Point in time view as at 03/07/2003. This version of this provision has been superseded.*

*Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995, Section 14A. (See end of Document for details)*

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- (4) For the purposes of subsection (3)—
- (a) section 3A(2) (and (6)) does not apply; and
  - (b) section 3A(4) has effect as if the reference to section 3A(3) were a reference to subsection (3) of this section.
- (5) In this section and section 14B—
- “qualifications body” means any authority or body which can confer a professional or trade qualification, but it does not include—
- (a) a responsible body (within the meaning of Chapter 1 or 2 of Part 4),
  - (b) a local education authority in England or Wales, or
  - (c) an education authority (within the meaning of section 135(1) of the Education (Scotland) Act 1980);
- “confer” includes renew or extend;
- “professional or trade qualification” means an authorisation, qualification, recognition, registration, enrolment, approval or certification which is needed for, or facilitates engagement in, a particular profession or trade;
- “competence standard” means an academic, medical or other standard applied by or on behalf of a qualifications body for the purpose of determining whether or not a person has a particular level of competence or ability.]

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**Extent Information**

- E1** This section extends to England and Wales and Scotland only; a separate s. 14A exists for Northern Ireland only from 21.2.2004.

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**Textual Amendments**

- F1** [Ss. 13-14D](#) and cross-headings substituted for ss. 13-15 (E.W.S.) (3.7.2003 for certain purposes and 1.10.2004 otherwise) by [The Disability Discrimination Act 1995 \(Amendment\) Regulations 2003 \(S.I. 2003/1673\)](#), regs. 1(2)(3), **13**

**Status:**

Point in time view as at 03/07/2003. This version of this provision has been superseded.

**Changes to legislation:**

There are currently no known outstanding effects for the Disability Discrimination Act 1995, Section 14A.