



Disability Discrimination Act 1995

1995 CHAPTER 50

PART III

DISCRIMINATION IN OTHER AREAS

Goods, facilities and services

19 Discrimination in relation to goods, facilities and services.

- (1) It is unlawful for a provider of services to discriminate against a disabled person—
 - (a) in refusing to provide, or deliberately not providing, to the disabled person any service which he provides, or is prepared to provide, to members of the public;
 - (b) in failing to comply with any duty imposed on him by section 21 in circumstances in which the effect of that failure is to make it impossible or unreasonably difficult for the disabled person to make use of any such service;
 - (c) in the standard of service which he provides to the disabled person or the manner in which he provides it to him; or
 - (d) in the terms on which he provides a service to the disabled person.
- (2) For the purposes of this section and sections 20 and 21—
 - (a) the provision of services includes the provision of any goods or facilities;
 - (b) a person is “a provider of services” if he is concerned with the provision, in the United Kingdom, of services to the public or to a section of the public; and
 - (c) it is irrelevant whether a service is provided on payment or without payment.
- (3) The following are examples of services to which this section and sections 20 and 21 apply—
 - (a) access to and use of any place which members of the public are permitted to enter;
 - (b) access to and use of means of communication;
 - (c) access to and use of information services;

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Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995, Section 19. (See end of Document for details)

- (d) accommodation in a hotel, boarding house or other similar establishment;
 - (e) facilities by way of banking or insurance or for grants, loans, credit or finance;
 - (f) facilities for entertainment, recreation or refreshment;
 - (g) facilities provided by employment agencies or under section 2 of the ^{M1}Employment and Training Act 1973;
 - (h) the services of any profession or trade, or any local or other public authority.
- (4) In the case of an act which constitutes discrimination by virtue of section 55, this section also applies to discrimination against a person who is not disabled.
- (5) Except in such circumstances as may be prescribed, this section and sections 20 and 21 do not apply to—
- (a) education which is funded, or secured, by a relevant body or provided at—
 - (i) an establishment which is funded by such a body or by a Minister of the Crown; or
 - (ii) any other establishment which is a school as defined in [^{F1}section 4(1) and (2) of the Education Act 1996] or section 135(1) of the ^{M2}Education (Scotland) Act 1980;
 - [^{F2}(aa) education which is provided by an institution within the further education sector (within the meaning given by section 91(3) of the Further and Higher Education Act 1992);
 - (ab) education which is provided by such establishments as may be specified by the Secretary of State by order;]
 - (b) any service so far as it consists of the use of any means of transport; or
 - (c) such other services as may be prescribed.
- (6) In subsection (5) “relevant body” means—
- (a) a local education authority in England and Wales;
 - (b) an education authority in Scotland;
 - [^{F3}(c) the Funding Agency for Schools;]
 - [^{F3}(d) the Schools Funding Council for Wales;]
 - (e)
 - [^{F4}(f) the Further Education Funding Council for Wales;]
 - [^{F5}(ff) the Scottish Further Education Funding Council established by an order under section 7(1) of the Further and Higher Education (Scotland) Act 1992;]
 - (g) the Higher Education Funding Council for England;
 - (h) the Scottish Higher Education Funding Council;
 - (i) the Higher Education Funding Council for Wales;
 - (j) the Teacher Training Agency;
 - (k) a voluntary organisation; or
 - (l) a body of a prescribed kind.

Extent Information

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

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Textual Amendments

- F1** Words in s. 19(5)(a)(ii) substituted (1.11.1996) by 1996 c. 56, ss. 582(1), 583(2), **Sch. 37 Pt. I para. 129** (with ss. 1(4), 561, 562, **Sch. 39**)
- F2** S. 19(5)(aa)(ab) inserted (1.4.2001) by 2000 c. 21, s. 149, **Sch. 9 para. 49** (with s. 150); S.I. 2001/654, art. 2(2), **Sch. Pt. II** (with savings and transitional provisions in art. 3)
- F3** S. 19(6)(c)(d) repealed (E.W.) (1.9.1999) by 1998 c. 31, s. 140(3), **Sch. 31** (with ss. 138(9), 144(6)); S.I. 1999/2323, art. 2(1), **Sch. 1**
- F4** S. 19(6)(f) repealed (W.) (1.4.2001) by 2000 c. 21, s. 153, **Sch. 11** (with s. 150); S.I. 2001/1274, art. 2(1), **Sch. Pt. I** (with savings and transitional provisions in arts. 3, 4)
- F5** S. 19(6)(ff) inserted (S.) (1.1.1999) by 1998 c. 30, s. 38; S.I. 1998/3237, **art. 2(3)** (with s. 42(8))

Commencement Information

- II** S. 19 wholly in force at 1.10.1999; s. 19 not in force at Royal Assent see s. 70(3); s. 19(5)(c) in force (E.W.S.) at 6.6.1996 by S.I. 1996/1474, art. 2(1), **Sch. Pt. I**; s. 19(5)(c) in force (N.I.) at 10.7.1996 by S.R. 1996/280, art. 2(1), **Sch. Pt. I s.19(1)(a)(c)(d)(2)(3)(4)(5)(a)(b)(6)** in force (E.W.S.) at 2.12.1996 by S.I. 1996/1474, art. 2(3), **Sch. Pt. III**; s. 19(1)(a)(c)(d)(2)(3)(4)(5)(a)(b)(6) in force (N.I.) at 2.12.1996 by S.R. 1996/280, art. 2(2), **Sch. Pt. II**; s. 19(1)(b) in force (E.W.S.) at 1.10.1999 by S.I. 1999/1190, **art. 5(c)**; s. 19(1)(b) in force (N.I.) at 1.10.1999 by S.R. 1999/196, **art. 4(c)**

Marginal Citations

- M1** 1973 c. 50.
- M2** 1980 c. 44.

Status:

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Changes to legislation:

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