



Disability Discrimination Act 1995

1995 CHAPTER 50

PART V

PUBLIC TRANSPORT

Rail vehicles

PROSPECTIVE

[^{F1}47L Penalties under sections 47D to 47H: appeals **E+W+S**

[^{F2}(1) A person may appeal to the court against a penalty imposed on him under any of sections 47D to 47H on the ground that—

- (a) he is not liable to the imposition of a penalty; or
- (b) the amount of the penalty is too high.

(2) On an appeal under this section, the court may—

- (a) allow the appeal and cancel the penalty;
- (b) allow the appeal and reduce the penalty; or
- (c) dismiss the appeal.

(3) An appeal under this section shall be a re-hearing of the Secretary of State's decision to impose a penalty, and shall be determined having regard to—

- (a) any code of practice under section 47J which has effect at the time of the appeal; and
- (b) any other matters which the court thinks relevant (which may include matters of which the Secretary of State was unaware).

(4) An appeal may be brought by a person under this section against a penalty whether or not—

- (a) he has given notice of objection under section 47K(4); or

Status: There are multiple prospective versions of this provision on screen. These apply to different geographical extents. Skip to: E+W+S - England, Wales and Scotland extent N.I. - Northern Ireland extent

Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995, Section 47L. (See end of Document for details)

- (b) the penalty has been reduced under section 47K(6).
- (5) A reference in this section to “the court” is a reference—
- (a) in England and Wales, to a county court; and
 - (b) in Scotland, to the sheriff.
- (6) The sheriff may transfer proceedings under this section to the Court of Session.
- (7) Where the sheriff has made a determination under subsection (2), any party to the proceedings may appeal on a point of law, either to the Sheriff Principal or to the Court of Session, against that determination.]]

Extent Information

- E1** This section extended to England, Wales and Scotland only; a separate s. 47L exists for Northern Ireland only.

Textual Amendments

- F1** Ss. 47D-47M inserted (E.W.S.) (prosp.) by [Disability Discrimination Act 2005 \(c. 13\)](#), ss. {8(1)}, 20(3)-(6)
- F2** Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279, Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279, art. 16](#)); [S.I. 2010/2317, art. 2\(15\)\(f\)](#) (with [arts. 4-25, Schs. 1-16](#)); [S.I. 2011/1066, art. 2\(h\)](#)

[^{F3}47L Penalties under sections 47D to 47H: appeals **N.I.**

- (1) A person may appeal to the county court against a penalty imposed on him under any of sections 47D to 47H on the ground that—
- (a) he is not liable to the imposition of a penalty; or
 - (b) the amount of the penalty is too high.
- (2) On an appeal under this section, the county court may—
- (a) allow the appeal and cancel the penalty;
 - (b) allow the appeal and reduce the penalty; or
 - (c) dismiss the appeal.
- (3) An appeal under this section shall be a re-hearing of the decision of the Department for Regional Development to impose a penalty, and shall be determined having regard to—
- (a) any code of practice under section 47J which has effect at the time of the appeal; and
 - (b) any other matters which the county court thinks relevant (which may include matters of which the Department for Regional Development was unaware).
- (4) An appeal may be brought by a person under this section against a penalty whether or not—
- (a) he has given notice of objection under section 47K(4); or
 - (b) the penalty has been reduced under section 47K(6).]

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Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995, Section 47L. (See end of Document for details)

Textual Amendments

- F3** Ss. 47D-47H, 47J-47M inserted (N.I.) (prosp.) by [The Disability Discrimination \(Northern Ireland\) Order 2006 \(S.I. 2006/312 \(N.I. 1\)\)](#), arts. 1, **10(1)**

Status:

There are multiple prospective versions of this provision on screen. These apply to different geographical extents.

Skip to:

- E+W+S - England, Wales and Scotland extent
- N.I. - Northern Ireland extent

Changes to legislation:

There are currently no known outstanding effects for the Disability Discrimination Act 1995, Section 47L.