



Disability Discrimination Act 1995

1995 CHAPTER 50

[^{F1}PART 5A E+W+S

PUBLIC AUTHORITIES

VALID FROM 05/12/2005

[^{F1}49F Enforcement of compliance notices E+W+S

- (1) If—
 - (a) a public authority on which a notice has been served under section 49E fails to furnish the Disability Rights Commission, in accordance with the notice, with any information required by the notice, or
 - (b) the Commission has reasonable cause to believe that a public authority on which a notice has been served under section 49E does not intend to furnish the information required by the notice,the Commission may apply to a county court or, in Scotland, the sheriff for an order requiring the authority to furnish any information required by the notice.
- (2) If on an application under subsection (1) the court is satisfied that either of the conditions specified in paragraphs (a) and (b) of that subsection is met, the court may grant the order in the terms applied for or in more limited terms.
- (3) If—
 - (a) the period of three months beginning with the day on which a notice is served on a public authority under section 49E has ended,
 - (b) the notice required the authority to comply with a duty imposed on it by regulations under section 49D, and
 - (c) the Commission considers that the authority has not complied with the duty,the Commission may apply to a county court or, in Scotland, the sheriff for an order requiring the authority to comply with the duty.
- (4) If on an application under subsection (3) the court is satisfied—

Status: Point in time view as at 16/07/2001. This version of this provision is not valid for this point in time.

Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995, Section 49F. (See end of Document for details)

- (a) that the conditions specified in paragraphs (a) and (b) of that subsection are met, and
- (b) that the authority has not complied with the duty,
- the court may grant the order in the terms applied for or in more limited terms.
- (5) The sanctions in section 49E and this section shall be the only sanctions for breach of any duty imposed by regulations under section 49D, but without prejudice to the enforcement of any other provision of this Act (where the breach is also a contravention of that provision).]

Textual Amendments

- F1** Pt. 5A (ss. 49A-49F) inserted (E.W.S) (30.6.2005 for s. 49D for certain purposes, 5.12.2005 for s. 49A(1) for certain purposes, and 49B-49F so far as not already in force, and otherwise 4.12.2006) by [Disability Discrimination Act 2005 \(c. 13\)](#), ss. 3, 20(3)-(6); [S.I. 2005/1676](#), [art. 2\(2\)\(b\)](#); [S.I. 2005/2774](#), [arts. 3\(b\)](#), [4\(a\)](#)

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Changes to legislation:

There are currently no known outstanding effects for the Disability Discrimination Act 1995, Section 49F.