

Status: Point in time view as at 04/04/2011.

Changes to legislation: Equality Act 2010, Cross Heading: The duty is up to date with all changes known to be in force on or before 18 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 2

SERVICES AND PUBLIC FUNCTIONS: REASONABLE ADJUSTMENTS

The duty

- 2 (1) A must comply with the first, second and third requirements.
- (2) For the purposes of this paragraph, the reference in section 20(3), (4) or (5) to a disabled person is to disabled persons generally.
- (3) Section 20 has effect as if, in subsection (4), for “to avoid the disadvantage” there were substituted—
- “(a) to avoid the disadvantage, or
 - (b) to adopt a reasonable alternative method of providing the service or exercising the function.”
- (4) In relation to each requirement, the relevant matter is the provision of the service, or the exercise of the function, by A.
- (5) Being placed at a substantial disadvantage in relation to the exercise of a function means—
- (a) if a benefit is or may be conferred in the exercise of the function, being placed at a substantial disadvantage in relation to the conferment of the benefit, or
 - (b) if a person is or may be subjected to a detriment in the exercise of the function, suffering an unreasonably adverse experience when being subjected to the detriment.
- (6) In relation to the second requirement, a physical feature includes a physical feature brought by or on behalf of A, in the course of providing the service or exercising the function, on to premises other than those that A occupies (as well as including a physical feature in or on premises that A occupies).
- (7) If A is a service-provider, nothing in this paragraph requires A to take a step which would fundamentally alter—
- (a) the nature of the service, or
 - (b) the nature of A's trade or profession.
- (8) If A exercises a public function, nothing in this paragraph requires A to take a step which A has no power to take.

Commencement Information

- II** Sch. 2 para. 2 wholly in force at 1.9.2012; para. 2 not in force at Royal assent see s. 216; para. 2 in force at 1.10.2010 for certain purposes by S.I. 2010/2317, art. 2(3); para. 2 in force so far as not already in force at 1.9.2012 by S.I. 2012/2184, art. 2(a)

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