

*Status: Point in time view as at 16/12/2014.*

*Changes to legislation: Equality Act 2010, Paragraph 5 is up to date with all changes known to be in force on or before 19 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 21

#### REASONABLE ADJUSTMENTS: SUPPLEMENTARY

##### *Joining landlord as party to proceedings*

- 5 (1) This paragraph applies to proceedings relating to a contravention of this Act by virtue of section 20.
- (2) A party to the proceedings may request the employment tribunal, county court or sheriff (“the judicial authority”) to direct that the landlord is joined or sisted as a party to the proceedings.
- (3) The judicial authority—
- (a) must grant the request if it is made before the hearing of the complaint or claim begins;
  - (b) may refuse the request if it is made after the hearing begins;
  - (c) must refuse the request if it is made after the complaint or claim has been determined.
- (4) If the landlord is joined or sisted as a party to the proceedings, the judicial authority may determine whether—
- (a) the landlord has refused to consent to the alteration;
  - (b) the landlord has consented subject to a condition;
  - (c) the refusal or condition was unreasonable.
- (5) If the judicial authority finds that the refusal or condition was unreasonable, it—
- (a) may make such declaration as it thinks appropriate;
  - (b) may make an order authorising A to make the alteration specified in the order (and requiring A to comply with such conditions as are so specified);
  - (c) may order the landlord to pay compensation to the complainant or claimant.
- (6) An employment tribunal may act in reliance on sub-paragraph (5)(c) instead of, or in addition to, acting in reliance on section 124(2); but if it orders the landlord to pay compensation it must not do so in reliance on section 124(2).
- (7) If [<sup>F1</sup>the county court] or the sheriff orders the landlord to pay compensation, it may not order A to do so.

#### **Textual Amendments**

- F1** Words in [Sch. 21 para. 5\(7\)](#) substituted (22.4.2014) by [Crime and Courts Act 2013 \(c. 22\), s. 61\(3\), Sch. 9 para. 52](#); [S.I. 2014/954, art. 2\(c\)](#) (with [art. 3](#)) (with transitional provisions and savings in [S.I. 2014/956, arts. 3-11](#))

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