

Status: Point in time view as at 31/03/2017.

Changes to legislation: Equality Act 2010, Part 9 is up to date with all changes known to be in force on or before 02 June 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 3

SERVICES AND PUBLIC FUNCTIONS: EXCEPTIONS

PART 9

TRANSPORT

Application to disability

32 This Part of this Schedule applies in relation to disability discrimination.

Commencement Information

II Sch. 3 wholly in force at 1.10.2012; Sch. 3 not in force at Royal assent see s. 216; Sch. 3 in force at 1.10.2010 for certain purposes by [S.I. 2010/2317](#), [art. 2\(3\)](#); Sch. 3 in force so far as not already in force at 1.10.2012 by [S.I. 2012/1569](#), [art. 2\(d\)](#)

Transport by air

- 33 (1) Section 29 does not apply to—
- (a) transporting people by air;
 - (b) a service provided on a vehicle for transporting people by air.
- (2) Section 29 does not apply to anything governed by Regulation [\(EC\) No 1107/2006](#) of the European Parliament and of the Council of 5 July 2006 concerning the rights of disabled persons and persons with reduced mobility when travelling by air.

Commencement Information

I2 Sch. 3 wholly in force at 1.10.2012; Sch. 3 not in force at Royal assent see s. 216; Sch. 3 in force at 1.10.2010 for certain purposes by [S.I. 2010/2317](#), [art. 2\(3\)](#); Sch. 3 in force so far as not already in force at 1.10.2012 by [S.I. 2012/1569](#), [art. 2\(d\)](#)

[^{F1}Transport by land: road]

Textual Amendments

F1 Sch. 3 para. 34 cross-heading substituted (1.10.2010) by virtue of [The Equality Act 2010 \(Consequential Amendments, Saving and Supplementary Provisions\) Order 2010 \(S.I. 2010/2279\)](#), [art. 9](#)

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- 34 (1) Section 29 does not apply to transporting people by land, unless the vehicle concerned is—
- (a) a hire-vehicle designed and constructed for the carriage of passengers and comprising no more than 8 seats in addition to the driver's seat,
 - (b) a hire-vehicle designed and constructed for the carriage of passengers, comprising more than 8 seats in addition to the driver's seat and having a maximum mass not exceeding 5 tonnes,
 - (c) a hire-vehicle designed and constructed for the carriage of goods and having a maximum mass not exceeding 3.5 tonnes,
 - (d) a vehicle licensed under section 48 of the Local Government (Miscellaneous Provisions) Act 1976 or section 7 of the Private Hire Vehicles (London) Act 1998 (or under a provision of a local Act corresponding to either of those provisions),
 - (e) a private hire car (within the meaning of section 23 of the Civic Government (Scotland) Act 1982),
 - (f) a public service vehicle (within the meaning given by section 1 of the Public Passenger Vehicles Act 1981),
 - (g) a vehicle built or adapted to carry passengers on a railway or tramway (within the meaning, in each case, of the Transport and Works Act 1992),
 - (h) a taxi,
 - (i) a vehicle deployed to transport the driver and passengers of a vehicle that has broken down or is involved in an accident, or
 - (j) a vehicle deployed on a system using a mode of guided transport (within the meaning of the Transport and Works Act 1992).

[^{F2}(1A) Sections 20 to 22 and section 29 do not apply to anything that is governed by Regulation (EU) No 181/2011 of the European Parliament and of the Council of 16 February 2011 concerning the rights of passengers in bus and coach transport and amending Regulation (EC) No 2006/2004 .]

- (2) Paragraph 4 of Schedule 2 applies for the purposes of this paragraph as it applies for the purposes of paragraph 3 of that Schedule.

Textual Amendments

F2 Sch. 3 para. 34(1A) inserted (19.8.2013) by [The Rights of Passengers in Bus and Coach Transport \(Exemptions and Enforcement\) Regulations 2013 \(S.I. 2013/1865\)](#), regs. 1(1), **13(4)**

Commencement Information

I3 Sch. 3 wholly in force at 1.10.2012; Sch. 3 not in force at Royal assent see s. 216; Sch. 3 in force at 1.10.2010 for certain purposes by [S.I. 2010/2317](#), **art. 2(3)**; Sch. 3 in force so far as not already in force at 1.10.2012 by [S.I. 2012/1569](#), **art. 2(d)**

[^{F3}Transport by land: rail

Textual Amendments

F3 Sch. 3 para. 34A and cross-heading inserted (1.10.2010) by [The Equality Act 2010 \(Consequential Amendments, Saving and Supplementary Provisions\) Order 2010 \(S.I. 2010/2279\)](#), **art. 9**

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- 34A Section 29 does not apply to anything governed by Regulation (EC) No 1371/2007 of the European Parliament and of the Council of 23 October 2007 on rail passengers' rights and obligations.]^{M1}

Marginal Citations

M1 OJ No. L315, 3.12.2007, p.14.

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