



# Disabled Persons (Employment) Act 1944

## 1944 CHAPTER 10

*Provisions for enabling registered disabled persons to obtain employment or to undertake work on their own account*

### **10 Determination of employers' quotas**

- (1) The quota at any time of a person to whom section nine of this Act applies shall be a number ascertained in accordance with the provisions of this section.
- (2) There shall be—
  - (a) a standard percentage; and
  - (b) a special percentage, either greater or smaller than the standard percentage, for employment in any trade or industry, or in any branch or part of any trade or industry, or for employment with any class of employer, being employment to which it appears to the Minister that a percentage other than the standard percentage ought to be assigned on the ground of its having distinctive characteristics as respects its suitability for disabled persons.
- (3) The standard percentage and any special percentage shall be such as may be specified by order made by the Minister, after consultation with such organisations representing employers and workers respectively, or both employers and workers, as he thinks fit, and an order assigning a special percentage shall contain such provisions as may appear to the Minister to be requisite for more particularly defining for the purposes of this section the trade or industry, branch or part of a trade or industry, or class of employer, to employment in which or with whom the percentage is assigned.
- (4) The quota at any time of a person to whom section nine of this Act applies shall be the number ascertained by applying to the number of all the persons then in his employment (excluding persons employed by him in an employment of a class then designated under section twelve of this Act)—
  - (a) so far as they consist of persons employed by him in an employment other than one to which a special percentage is then assigned, the standard percentage; and
  - (b) so far as they consist of persons employed by him in an employment to which a special percentage is then assigned, that percentage:

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*Status: This is the original version (as it was originally enacted).*

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Provided that if the number so ascertained includes or consists of a fraction less than one half the fraction shall be disregarded, and if the number so ascertained includes or consists of a fraction being one half or more the quota shall be the nearest higher whole number.

- (5) On an application in that behalf being made in the prescribed manner by any person to whom section nine of this Act applies representing that his quota, if ascertained in accordance with the last preceding subsection, or with that subsection together with any direction for the time being in force under this subsection, would be too great having regard to the particular circumstances in which all or any of the persons employed by him are employed, the Minister, if he is satisfied, after referring the application to a district advisory committee for their recommendations and considering their recommendations, that the representation is well founded, may direct that, during any such period ending not later than twelve months from the date of the direction as may be therein specified, the standard percentage, or any special percentage, or both, shall be reduced as specified in the direction for the purposes of the operation of the last preceding subsection in relation to the applicant.
- (6) The Minister shall, on an application in that behalf being made in the prescribed manner by any person to whom section nine of this Act applies and on his giving to the Minister all such information relevant to the application as he may require, determine what percentage of the number of all the persons in the employment of the applicant (excluding persons employed by him in an employment of a class for the time being designated under section twelve of this Act) his quota, as ascertained in accordance with the preceding provisions of this section, is likely to represent over any period ending not later than twelve months from the date of the determination, and shall furnish the applicant with a certificate stating that percentage and the period as respects which the determination was made, and the applicant shall be deemed to have in his employment at any time during the period stated in the certificate persons registered as handicapped by disablement to the number of his quota if the number of such persons then in his employment (excluding as aforesaid) reaches the percentage stated in the certificate of the number of all the persons then in his employment (excluding as aforesaid).