
STATUTORY INSTRUMENTS

2007 No. 2405

The Disability Discrimination Act 1995 (Amendment etc.) (General Qualifications Bodies) (Alteration of Premises and Enforcement) Regulations 2007

PART 2

Amendments to the Disability Discrimination Act 1995

Alterations to premises occupied under leases

5. After section 31ADA of the 1995 Act (enforcement, remedies and procedures) (inserted by regulation 3) insert—

“31ADB Alterations to premises occupied under leases

(1) This section applies where—

- (a) a general qualifications body occupies premises under a lease;
- (b) but for this section, the general qualifications body would not be entitled to make a particular alteration to the premises; and
- (c) the alteration is one which the general qualifications body proposes to make in order to comply with the duty imposed by section 31AD(3).

(2) Except to the extent to which it expressly so provides, the lease shall have effect by virtue of this subsection as if it provided—

- (a) for the general qualifications body to be entitled to make the alteration with the written consent of the lessor;
- (b) for the general qualifications body to have to make a written application to the lessor for consent if it wishes to make the alteration;
- (c) if such an application is made, for the lessor not to withhold his consent unreasonably; and
- (d) for the lessor to be entitled to make his consent subject to reasonable conditions.

(3) In this section and in Part 4 of Schedule 4—

“lease” includes a tenancy, sub-lease or sub-tenancy and an agreement for a lease, tenancy, sub-lease or sub-tenancy;

“sub-lease” means any sub-term created out of, or deriving from, a leasehold interest; and

“sub-tenancy” means any tenancy created out of, or deriving from, a superior tenancy.

(4) For the purposes of subsection (1), the general qualifications body is to be treated as not being entitled to make the alteration, if the terms and conditions of the lease—

- (a) impose conditions which are to apply if the general qualifications body alters the premises, or

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- (b) entitle the lessor to impose conditions when consenting to the general qualifications body's altering the premises.
- (5) Part 4 of Schedule 4 supplements the provisions of this section.”