

Disability Discrimination Act 2005 2005 Chapter 13 - *continued*

3. Duties of public authorities

In the 1995 Act, after section 49 there is inserted-

"PART 5A PUBLIC AUTHORITIES 49A General duty

(1) Every public authority shall in carrying out its functions have due regard to-

- (a) the need to eliminate discrimination that is unlawful under this Act;
- (b) the need to eliminate harassment of disabled persons that is related to their disabilities;
- (c) the need to promote equality of opportunity between disabled persons and other persons;
- (d) the need to take steps to take account of disabled persons' disabilities, even where that involves treating disabled persons more favourably than other persons;
- (e) the need to promote positive attitudes towards disabled persons; and
- (f) the need to encourage participation by disabled persons in public life.

(2) Subsection (1) is without prejudice to any obligation of a public authority to comply with any other provision of this Act.