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NEWS REPORT

Country:	The Netherlands
Title:	Scope of Discrimination Disability Act extended to goods and services
Date:	17 August 2016
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Update of flash report nr:	NL 2016-7
<u>Context</u>	
Issue at stake:	Dutch parliament passes bill extending the scope of the Disability Discrimination Act to the area of goods and services
Ground of discrimination:	Disability
Source:	Legislation
Field:	Access to goods and services
Applicable law:	Discrimination Disability Act (DDA)

Content

Development:

In 2016, the Netherlands has ratified the International Convention on the Rights of Persons with Disabilities (UNCRPD). This formed the capstone of a dragging ratification process that started in 2007, when the Netherlands became a signatory to the Convention.

The Dutch government now has to take concrete steps in ensuring that accessibility becomes the norm in the Netherlands. Most importantly, a bill has been adopted that contains important changes regarding the scope of the Disability Discrimination Act (*Wet gelijke behandeling op grond van handicap of chronische ziekte*).

A new first article will be included (Article 01), which provides:

Every human must be enabled, corresponding to his own potential, to be autonomous.¹

Article 5b now provides:

Distinction is now forbidden in the supply of or access to goods or services and in concluding, performing or terminating contracts thereto, as well as in the provision of career orientation and guidance and advice or information regarding the choice of an educational institution or career, if this is done:

¹ All translations are by the author.

- a) In the course of exercising a profession or carrying on a business;
- b) By a public service;
- c) By institutions active in the field of public housing, social services, healthcare, cultural affairs or education or
- d) By private persons not engaged in carrying on a business or exercising a profession insofar as the offer is made publicly.

The Netherlands, by expanding the scope of the protection against discrimination on the ground of disability to access to goods and services, goes beyond the requirements of Employment Equality Directive 2000/78/EC.

Key points of analysis:

Dutch parliament passes bill extending the scope of the Disability Discrimination Act to the area of goods and services.

Internet link source:

Netherlands, Act of 3 April 2003 regarding the establishment of the Act on Equal Treatment on the grounds of disability or chronic disease (*Wet van 3 april 2003 tot vaststelling van de Wet Gelijke Behandeling op grond van handicap of chronische ziekte*), Staatsblad 2003, 206.

<http://wetten.overheid.nl/BWBR0014915/2016-06-14>.

Netherlands, Act of 14 April 2016 regarding the implementation of the International Convention on the Rights of Persons with Disabilities as agreed in New York on 13 December 2006 (Treaties Gazette 2007, 169) (*Wet van 14 april 2016 tot uitvoering van het op 13 december 2006 te New York tot stand gekomen Verdrag inzake de rechten van personen met een handicap* (Trb. 2007, 169)), Staatsblad 2016, 215.

<https://zoek.officielebekendmakingen.nl/stb-2016-215.html>.