



# Employment Protection Act 1975

## 1975 CHAPTER 71

### PART II

#### RIGHTS OF EMPLOYEES

##### *Time off work*

#### **59 Time off for public duties**

- (1) An employer shall permit an employee of his who is—
- (a) a justice of the peace ;
  - (b) a member of a local authority;
  - (c) a member of any statutory tribunal;
  - (d) a member of, in England and Wales, a Regional Health Authority or Area Health Authority or, in Scotland, a Health Board;
  - (e) a member of, in England and Wales, the managing or governing body of an educational establishment maintained by a local education authority, or, in Scotland, a school or college council or the governing body of a central institution or a college of education; or
  - (f) a member of, in England and Wales, a water authority or, in Scotland, river purification board,

to take time off, subject to and in accordance with subsection (4) below, during the employee's working hours for the purposes of performing any of the duties of his office or, as the case may be, his duties as such a member.

- (2) In subsection (1) above—
- (a) " local authority " in relation to England and Wales includes the Common Council of the City of London but otherwise has the same meaning as in the Local Government Act 1972, and in relation to Scotland has the same meaning as in the Local Government (Scotland) Act 1973 ;
  - (b) "Regional Health Authority" and "Area Health Authority" have the same meaning as in the National Health Service Reorganisation Act 1973, and

---

*Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.*

---

- " Health Board" has the same meaning as in the National Health Service (Scotland) Act 1972 ;
- (c) " local education authority " means the authority designated by section 192(1) of the Local Government Act 1972, " school or college council" means a body appointed under section 125(1) of the Local Government (Scotland) Act 1973, and "central institution" and " college of education " have the meanings assigned to them by section 145(10) and (14) respectively of the Education (Scotland) Act 1962 ; and
- (d) " river purification board " means a board established under section 135 of the Local Government (Scotland) Act 1973.
- (3) For the purposes of subsection (1) above the duties of a member of a body referred to in paragraphs (b) to (f) of that subsection are:—
- (a) attendance at a meeting of the body or any of its committees or sub-committees;
- (b) the doing of any other thing approved by the body, or anything of a class so approved, for the purpose of the discharge of the functions of the body or of any of its committees or sub-committees.
- (4) The amount of time off which an employee is to be permitted to take under this section and the occasions on which and any conditions subject to which time off may be so taken are those that are reasonable in all the circumstances having regard, in particular, to the following:—
- (a) how much time off is required for the performance of the duties of the office or as a member of the body in question, and how much time off is required for the performance of the particular duty ;
- (b) how much time off the employee has already been permitted under this section or sections 57 and 58 above;
- (c) the circumstances of the employer's business and the effect of the employee's absence on the running of that business.
- (5) The Secretary of State may by order—
- (a) modify the provisions of subsection (1) above by adding any office or body to, or removing any office or body from, that subsection or by altering the description of any office or body in that subsection; and
- (b) modify the provisions of subsection (3) above.
- (6) An employee may present a complaint to an industrial tribunal that his employer has failed to permit him to take time off as required by this section.