



Local Government and Housing Act 1989

1989 CHAPTER 42

PART I

LOCAL AUTHORITY MEMBERS, OFFICERS, STAFF AND COMMITTEES ETC.

Appointment and management etc. of staff

10 Limit on paid leave for local authority duties.

(1) Notwithstanding anything in [^{F1}section 50(4) of the Employment Rights Act 1996] (conditions of time off for public duties), where—

- (a) a local authority permit an employee of theirs to take time off for the purpose of performing the duties of a member of a relevant council; and
- (b) those duties do not include the duties of chairman of the council,

it shall be unlawful for the authority to make any payment of remuneration or other payment to that employee in respect of so much (if any) of any time off for that purpose as is in excess of two hundred and eight hours in any one financial year and is time off to which the employee would not be entitled apart from his membership of that council.

(2) In this section—

“chairman”, in relation to a relevant council, includes any corresponding office the holder of which is referred to as mayor or Lord Mayor or by any other description;

“employee” has the same meaning as in the [^{F2}the Employment Rights Act 1996];

“financial year” means the twelve months ending with 31st March;^{F3}...

[^{F4}“local authority” includes a corporate joint committee; and]

“relevant council” means the council of any county, [^{F5}county borough] district or London borough, the Common Council of the City of London, a parish or community council or any council in Scotland which is a local

Changes to legislation: Local Government and Housing Act 1989, Section 10 is up to date with all changes known to be in force on or before 11 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

authority for the purposes of [F6subsection (2) of section 50] of that Act (time off for public duties);
 and subsection (3) of that section (meaning of duties of a member of a body) shall apply for the purposes of this section as it applies for the purposes of that section.

Textual Amendments

- F1** Words in s. 10(1) substituted (22.8.1996) by 1996 c. 18, ss. 240, 243, **Sch. 1 para. 44(a)** (with ss. 191-195, 202)
- F2** S. 10(2): words in the definition of “employee” substituted (22.8.1996) by 1996 c. 18, ss. 240, 243, **Sch. 1 para. 44(b)(i)** (with ss. 191-195, 202)
- F3** Words in s. 10(2) omitted (25.3.2022) by virtue of [The Corporate Joint Committees \(General\) \(Wales\) Regulations 2022 \(S.I. 2022/372\)](#), regs. 1(2), **37(a)**
- F4** Words in s. 10(2) inserted (25.3.2022) by [The Corporate Joint Committees \(General\) \(Wales\) Regulations 2022 \(S.I. 2022/372\)](#), regs. 1(2), **37(b)**
- F5** S. 10(2): words in the definition of “relevant council” inserted (7.1.1997) by [S.I. 1996/3071](#), art. 2, **Sch. para. 3(2)**
- F6** S. 10(2): words in the definition of “relevant council” substituted (22.8.1996) by 1996 c. 18, ss. 240, 243, **Sch. 1 para. 44(b)(ii)** (with ss. 191-195, 202)

Modifications etc. (not altering text)

- C1** Pt. I modified (20.12.2023) by [The York and North Yorkshire Combined Authority Order 2023 \(S.I. 2023/1432\)](#), arts. 1(2), **5(4)**
- C2** S. 10 applied (S.) (*temp.* 6.4.1995 to 1.4.1996) by [S.I. 1995/789](#), art. 2, **Sch.** entry 11
 S. 10 extended (E.W.) (19.9.1995) by 1995 c. 25, ss. 63(5), 125(2), **Sch. 7 para. 11(3)** (with ss. 7(6), 115, 117, **Sch. 8 para. 7**)
- C3** S. 10 applied (E.W.) (22.7.2004) by [The Cotswolds Area of Outstanding Natural Beauty \(Establishment of Conservation Board\) Order 2004 \(S.I. 2004/1777\)](#), arts. 1, **15(2)**
- C4** S. 10 applied (E.W.) (22.7.2004) by [The Chilterns Area of Outstanding Natural Beauty \(Establishment of Conservation Board\) Order 2004 \(S.I. 2004/1778\)](#), arts. 1, **15(2)**

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 65(2)(b)(ii) inserted by [2004 c. 23 Sch. 2 para. 11](#) (Pt. IV repealed (18.11.2003 for E. for the repeal of ss. 45, 53, 27.11.2003 for W. for the purpose of and in relation to financial years beginning on or after 1st April 2004, and 1.4.2004 for E. in so far as not already in force) by Local Government Act 2003 (c. 26), s. 128(6), Sch. 7 para. 29; S.I. 2003/2938, arts. 3(h), 7(b) (with art. 8, Sch.); S.I. 2003/3034, art. 2, Sch. 1 Pt. I (with Sch. 2 para. 2))
- s. 76A76B inserted by [2014 c. 29 s. 24\(2\)](#)
- s. 87(1A) inserted by [2014 c. 29 s. 24\(5\)](#)
- Sch. 10 para. 5(4A) inserted by [2024 c. 22 Sch. 9 para. 8\(b\)](#)
- Sch. 10 para. 5(4)(a)(b) and words substituted for words by [2024 c. 22 Sch. 9 para. 8\(a\)](#)