



# Employment Rights Act 1996

## 1996 CHAPTER 18

### PART VI

#### TIME OFF WORK

##### *[<sup>F1</sup>Dependants*

#### **[<sup>F1F2</sup>57A Time off for dependants.**

- (1) An employee is entitled to be permitted by his employer to take a reasonable amount of time off during the employee's working hours in order to take action which is necessary—
  - (a) to provide assistance on an occasion when a dependant falls ill, gives birth or is injured or assaulted,
  - (b) to make arrangements for the provision of care for a dependant who is ill or injured,
  - (c) in consequence of the death of a dependant,
  - (d) because of the unexpected disruption or termination of arrangements for the care of a dependant, or
  - (e) to deal with an incident which involves a child of the employee and which occurs unexpectedly in a period during which an educational establishment which the child attends is responsible for him.
- (2) Subsection (1) does not apply unless the employee—
  - (a) tells his employer the reason for his absence as soon as reasonably practicable, and
  - (b) except where paragraph (a) cannot be complied with until after the employee has returned to work, tells his employer for how long he expects to be absent.
- (3) Subject to subsections (4) and (5), for the purposes of this section “dependant” means, in relation to an employee—
  - (a) a spouse [<sup>F3</sup>or civil partner] ,
  - (b) a child,

*Status: Point in time view as at 02/03/2010.*

*Changes to legislation: Employment Rights Act 1996, Section 57A is up to date with all changes known to be in force on or before 30 May 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)*

- (c) a parent,
  - (d) a person who lives in the same household as the employee, otherwise than by reason of being his employee, tenant, lodger or boarder.
- (4) For the purposes of subsection (1)(a) or (b) “dependant” includes, in addition to the persons mentioned in subsection (3), any person who reasonably relies on the employee—
- (a) for assistance on an occasion when the person falls ill or is injured or assaulted, or
  - (b) to make arrangements for the provision of care in the event of illness or injury.
- (5) For the purposes of subsection (1)(d) “dependant” includes, in addition to the persons mentioned in subsection (3), any person who reasonably relies on the employee to make arrangements for the provision of care.
- (6) A reference in this section to illness or injury includes a reference to mental illness or injury.]

#### Textual Amendments

- F1** Ss. 57A, 57B and heading inserted (15.12.1999) by 1999 c. 26, s. 8, **Sch. 4 Pt. II**; S.I. 1999/2830, art. 2(2), **Sch. 1 Pt. II**
- F2** Ss. 57A, 57B and heading inserted (15.12.1999) by 1999 c. 26, s. 8, **Sch. 4 Pt. II**; S.I. 1999/2830, art. 2(2), **Sch. 1 Pt. II**
- F3** Words in s. 57A(3)(a) inserted (5.12.2005) by **Civil Partnership Act 2004 (c. 33)**, ss. 261(1), 263, **Sch. 27 para. 151**; S.I. 2005/3175, **art. 2(2)** (Subject to art. 2(3)-(5))

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