
STATUTORY INSTRUMENTS

2018 No. 665

The Time Off for Public Duties Order 2018

Citation and commencement

1. This Order may be cited as the Time Off for Public Duties Order 2018 and comes into force on 1st October 2018.

Extension of rights to an additional office and members of additional bodies

2. Section 50 of the Employment Rights Act 1996(1) is amended as follows—

(a) for subsection (1) substitute—

“(1) An employer shall permit an employee of his who is—

(a) a justice of the peace, or

(b) an independent prison monitor appointed in accordance with section 7B(2) of the Prisons (Scotland) Act 1989(2),

to take time off during the employee’s working hours for the purpose of performing any of the duties of the office.”;

(b) in subsection (2)—

(i) omit “or” after paragraph (g);

(ii) after paragraph (h) insert—

“(i) a panel of lay observers appointed in accordance with section 81(1)(b) of the Criminal Justice Act 1991(3),

(j) a Visiting Committee appointed in accordance with section 152(1) of the Immigration and Asylum Act 1999(4), or

(k) a Visiting Committee appointed by the Secretary of State for a short-term holding facility (within the meaning given by section 147 of the Immigration and Asylum Act 1999(5)).”.

(1) Section 50(2) was amended by paragraph 88 of Schedule 9 to the Police Act 1997 (c. 50); paragraphs 84 and 86 of Schedule 4 and Part 2 of Schedule 17 to the Serious Organised Crime and Police Act 2005 (c. 15); paragraph 31 of Schedule 14 to the Police and Justice Act 2006 (c. 48); paragraph 8(a) of Schedule 3 to the Offender Management Act 2007 (c. 21); paragraph 219 of Schedule 16 to the Police Reform and Social Responsibility Act 2011 (c. 13); S.I. 2000/1737, 2004/1822 and 2011/2581 and S.S.I. 2015/39. There are other amendments to section 50 that are not relevant to this instrument.

(2) 1989 c. 45; section 7B was inserted by S.S.I. 2015/39.

(3) 1991 c. 53.

(4) 1999 c. 33; section 152 was amended by section 66(2) and (3)(e) of the Nationality, Immigration and Asylum Act 2002 (c. 41).

(5) The definition of “short-term holding facility” in section 147 was amended by section 25 of the Borders, Citizenship and Immigration Act 2009 (c. 11) and section 6(1) and (2)(d) of the Immigration Act 2014 (c. 22).

Status: This is the original version (as it was originally made).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

30th May 2018

Lucy Frazer
Parliamentary Under Secretary of State
Ministry of Justice