



# Offices, Shops and Railway Premises Act 1963

## 1963 CHAPTER 41

### *Health, Safety and Welfare of Employees (General Provisions)*

#### **[<sup>F1</sup>6 Temperature.**

- (1) Effective provision shall be made for securing and maintaining a reasonable temperature in every room comprised in, or constituting, premises to which this Act applies, being a room in which persons are employed to work otherwise than for short periods, but no method shall be used which results in the escape into the air of any such room of any fume of such a character and to such extent as to be likely to be injurious or offensive to persons working therein.
- (2) Where a substantial proportion of the work done in a room to which the foregoing subsection applies does not involve severe physical effort, a temperature of less than [<sup>F2</sup>16 degrees Celsius] shall not be deemed, after the first hour, to be a reasonable temperature while work is going on.
- (3) The foregoing subsections shall not apply—
  - (a) to a room which comprises, or is comprised in or constitutes, office premises, being a room to which members of the public are invited to resort, and in which the maintenance of a reasonable temperature is not reasonably practicable; or
  - (b) to a room which comprises, or is comprised in or constitutes, shop or railway premises, being a room in which the maintenance of a reasonable temperature is not reasonably practicable or would cause deterioration of goods;but there shall be provided for persons who are employed to work in a room to which, but for the foregoing provisions of this subsection, subsection (1) of this section would apply, conveniently accessible and effective means of enabling them to warm themselves.
- (4) In premises to which this Act applies there shall, on each floor on which there is a room to which subsection (1) of this section applies, be provided in a conspicuous place and

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**Changes to legislation:** There are currently no known outstanding effects for the Offices, Shops and Railway Premises Act 1963, Section 6. (See end of Document for details)

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in such a position as to be easily seen by the persons employed to work in the premises on that floor a thermometer of a kind suitable for enabling the temperature in any such room on that floor to be readily determined; and a thermometer provided in pursuance of this subsection shall be kept available for use by those persons for that purpose.

- (5) .....<sup>F3</sup>
- (6) It shall be the duty of the employer of persons for whom means of enabling them to warm themselves are provided in pursuance of subsection (3) of this section to afford them reasonable opportunities for using those means, and if he fails so to do he shall be guilty of an offence.
- (7) In this section “fume” includes gas or vapour.]

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**Textual Amendments**

- F1** Ss. 4-16 repealed (1.1.1993 with respect to certain premises and 1.1.1996 with respect to certain further premises) by S.I. 1992/3004, regs. 1(2)(3), 2, 3, 27(1), **Sch. 2 Pt.I** (with saving in reg. 27(2)).
- F2** Words substituted by S.I. 1982/827, reg. 2(2), **Sch.**
- F3** Ss. 3(3), 4(3), 6(5), 7(2), 8(2), 9(3)(4), 10(3)(4), 12(3), 20–22, 23(2), 25, 26, 27(3), 42(8)–(10), 43(6)–(8), 45, 46(12)(14), 49(2), 50, 54, 56–58, 61, 62, 65, 66, 68, 70(2)–(4), 71(1), 74(2)–(4), 75(2), 80(5) (6)(8), 81, **Sch. 1** repealed by S.I. 1974/1943, reg. 4, **Sch. 1**
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**Modifications etc. (not altering text)**

- C1** S. 6 extended by Radiological Protection Act 1970 (c. 46), s. 2(6)

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