
STATUTORY INSTRUMENTS

1998 No. 633

The Police Act 1997 (Provisions in relation to the NCIS Service Authority) Order 1998

PART J

STAFF, OFFICERS AND MEMBERS

Limit on paid leave for local authority duties

J12.—(1) Notwithstanding anything in subsection (4) of section 50 of the Employment Rights Act 1996⁽¹⁾ (conditions of time off for public duties), where—

- (a) the Authority permits an employee of it 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 article—

“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 Employment Rights Act 1996;

“relevant council” means the council of any county, 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 authority for the purposes of section 50 of the Employment Rights Act 1996 (time off for public duties);

and paragraph (3) of section 50 of the Employment Rights Act 1996 (meaning of duties of a member of a body) shall apply for the purposes of this article as it applies for the purposes of that section.