

Status: Point in time view as at 03/12/2007.

Changes to legislation: *There are currently no known outstanding effects for the Health and Personal Social Services Act (Northern Ireland) 2001, Section 19. (See end of Document for details)*



2001 CHAPTER 3

PART I

SOCIAL CARE WORKERS

Miscellaneous and supplemental

Default powers of Department

19.—(1) The powers conferred by this section are exercisable by the Department if it is satisfied that the Council—

- (a) has without reasonable excuse failed to discharge any of its functions; or
- (b) in discharging any of its functions, has without reasonable excuse failed to comply with any directions or guidance given by it under section 1(3) in relation to those functions.

(2) The Department may—

- (a) make an order declaring the Council to be in default; and
- (b) direct the Council to discharge such of its functions, and in such manner and within such period or periods, as may be specified in the direction.

(3) If the Council fails to comply with the Department's direction under subsection (2), the Department may—

- (a) discharge the functions to which the direction relates itself; or
- (b) make arrangements for any other person to discharge those functions on its behalf.

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