



# Local Authority Social Services Act 1970

## 1970 CHAPTER 42

### **[<sup>F1</sup>7D Default powers of Secretary of State as respects social services functions of local authorities.**

- (1) If the Secretary of State is satisfied that any local authority have failed, without reasonable excuse to comply with any of their duties which are social services functions (other than a duty [<sup>F2</sup>referred to in subsection (4)]), he may make an order declaring that authority to be in default with respect to the duty in question.
- (2) An order under subsection (1) may contain such directions for the purpose of ensuring that the duty is complied with within such period as may be specified in the order as appear to the Secretary of State to be necessary.
- (3) Any such direction shall, on the application of the Secretary of State, be enforceable by mandamus.]

[<sup>F3</sup>(4) Subsection (1) does not apply in relation to a duty imposed by or under—

- (a) the Children Act 1989,
- (b) section 1 or 2(4) of the Adoption (Intercountry Aspects) Act 1999,
- (c) the Adoption and Children Act 2002, or
- (d) Part 1 of the Care Act 2014.]

#### **Textual Amendments**

**F1** Ss. 7A–7E inserted by [National Health Service and Community Care Act 1990 \(c. 19, SIF 113:2\)](#), **s. 50**

**F2** Words in [s. 7D\(1\)](#) substituted (1.4.2023) by [Health and Care Act 2022 \(c. 31\)](#), **ss. 164(1)(a)**, 186(6); [S.I. 2023/371](#), [reg. 2\(f\)](#)

**F3** [S. 7D\(4\)](#) inserted (1.4.2023) by [Health and Care Act 2022 \(c. 31\)](#), **ss. 164(1)(b)**, 186(6); [S.I. 2023/371](#), [reg. 2\(f\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Local Authority Social Services Act 1970, Section 7D.