



# Mental Health Act 1959

1959 CHAPTER 72 7 and 8 Eliz 2

## PART IX

MISCELLANEOUS AND GENERAL

### *Miscellaneous provisions*

#### **142 Default powers of Minister.**

- (1) Where the Minister is of opinion, on complaint or otherwise, that a [<sup>F1</sup>local social services authority] have failed to carry out functions conferred or imposed on the authority by or under this Act or have in carrying out those functions failed to comply with any regulations relating thereto, he may after such inquiry as he thinks fit make an order declaring the authority to be in default.
- (2) [<sup>F2</sup>Section 68(4) of the National Health Service Act 2006, and section 28(4) of the National Health Service (Wales) Act 2006 (which relate] to orders declaring, among others, a local authority to be in default under that Act) shall apply in relation to an order under this section as they apply in relation to an order under that section.

#### **Textual Amendments**

- F1** Words substituted by [Local Government Act 1972 \(c. 70\), Sch. 23 para. 9\(2\)](#)
- F2** Words in s. 142(2) substituted (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\), s. 8\(2\), Sch. 1 para. 24](#) (with Sch. 3 Pt. 1)

**Status:**

Point in time view as at 01/03/2007.

**Changes to legislation:**

There are currently no known outstanding effects for the Mental Health Act 1959, Section 142.