



Corporate Manslaughter and Corporate Homicide Act 2007

2007 CHAPTER 19

Relevant duty of care

3 Public policy decisions, exclusively public functions and statutory inspections

- (1) Any duty of care owed by a public authority in respect of a decision as to matters of public policy (including in particular the allocation of public resources or the weighing of competing public interests) is not a “relevant duty of care”.
- (2) Any duty of care owed in respect of things done in the exercise of an exclusively public function is not a “relevant duty of care” unless it falls within section 2(1)(a), (b) or (d).
- (3) Any duty of care owed by a public authority in respect of inspections carried out in the exercise of a statutory function is not a “relevant duty of care” unless it falls within section 2(1)(a) or (b).

(4) In this section—

“exclusively public function” means a function that falls within the prerogative of the Crown or is, by its nature, exercisable only with authority conferred—

- (a) by the exercise of that prerogative, or
- (b) by or under a statutory provision;

“statutory function” means a function conferred by or under a statutory provision.

Commencement Information

II S. 3 in force at 6.4.2008 by S.I. 2008/401, art. 2 (with art. 2(3)(c))

Changes to legislation:

There are currently no known outstanding effects for the Corporate Manslaughter and Corporate Homicide Act 2007, Section 3.