Public Bodies (Joint Working) (Scotland) Act 2014

2014 asp 9

PART 1

FUNCTIONS OF LOCAL AUTHORITIES AND HEALTH BOARDS

Strategic planning etc.

38 Requirement to prepare replacement strategic plan

(1) This section applies where the integration authority in relation to the area of a local authority is an integration joint board.

(2) If it appears to a constituent authority that the strategic plan is preventing, or is likely to prevent, the constituent authority from carrying out any of its functions appropriately or in a way which complies with the integration delivery principles and contributes to achieving the national health and wellbeing outcomes, the constituent authorities acting jointly may direct the integration authority to prepare a replacement strategic plan.

(3) A direction under subsection (2) must—
- (a) be in writing,
- (b) include a statement summarising the reasons for giving it.

(4) A direction under subsection (2) must specify—
- (a) a day by which the replacement strategic plan must be prepared, and
- (b) a day on which the period of the plan is to begin.

(5) The constituent authorities acting jointly may by direction substitute a different day for a day specified under subsection (4).

(6) An integration authority must comply with a direction given to it under subsection (2).

(7) Sections 30, 33, 34 and 35 apply in relation to a strategic plan prepared by virtue of subsection (2) as those sections apply in relation to a strategic plan prepared by virtue of section 29.

Commencement Information

I1 S. 38 in force at 22.9.2014 by S.S.I. 2014/231, **art. 2**

Changes to legislation:
There are currently no known outstanding effects for the Public Bodies (Joint Working) (Scotland) Act 2014, Section 38.