



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.