



Local Authority Social Services Act 1970

1970 CHAPTER 42

7 Local authorities to exercise social services functions under guidance of Secretary of State

- (1) Local authorities shall, in the exercise of their social services functions, including the exercise of any discretion conferred by any relevant enactment, act under the general guidance of the Secretary of State.
- (2) Subsection (1) above shall not affect a local authority's duty to exercise their functions under—
 - (a) sections 21 and 24 of the National Assistance Act 1948 (provision of residential or temporary accommodation for the aged, infirm, etc.), or
 - (b) section 29 of that Act (welfare of the handicapped), or
 - (c) section 3 of the Disabled Persons (Employment) Act 1958 (provision for employment and training of persons who are seriously disabled),

in accordance with any scheme under any of those sections which is in force with the approval of a Minister of the Crown given under section 34 of the said Act of 1948 or in accordance with a scheme made by a Minister of the Crown under the said section 34.

The foregoing provision is without prejudice to subsection (2) of section 2 of the Chronically Sick and Disabled Persons Act 1970 (which excludes arrangements made in pursuance of subsection (1) of the said section 2 and certain other arrangements from the requirement that arrangements made by a local authority under section 29 of the said Act of 1948 shall be carried into effect in accordance with a scheme made thereunder).

- (3) Subsection (1) above shall not affect a local authority's duty to carry out their duties under—
 - (a) section 22 of the National Health Service Act 1946 (care of certain mothers and young children), or
 - (b) section 12 of the Health Services and Public Health Act 1968 (prevention of illness and care and aftercare of the sick),

in accordance with proposals approved or made by a Minister of the Crown under section 20 of the said Act of 1946.