



Health and Care Act 2022

2022 CHAPTER 31

PART 4

THE HEALTH SERVICES SAFETY INVESTIGATIONS BODY

Oversight of functions

PROSPECTIVE

129 Failure to exercise functions

- (1) This section applies if the Secretary of State considers that—
 - (a) the HSSIB is failing or has failed to exercise any of its functions, and
 - (b) the failure is significant.
- (2) The Secretary of State may direct the HSSIB to exercise such of its functions, in such manner and within such period, as the direction specifies.
- (3) But the Secretary of State may not give a direction under subsection (2) which directs the outcome of a particular investigation.
- (4) If the HSSIB fails to comply with a direction under subsection (2), the Secretary of State may—
 - (a) exercise the functions specified in the direction, or
 - (b) make arrangements for some other person to exercise them on the Secretary of State's behalf.
- (5) The reference in subsection (1)(a) to exercising a function includes a reference to exercising it properly.
- (6) A direction under subsection (2)—
 - (a) must be in writing;
 - (b) may be varied or revoked by subsequent directions.

Status: This version of this provision is prospective.

Changes to legislation: There are currently no known outstanding effects for the Health and Care Act 2022, Section 129. (See end of Document for details)

Commencement Information

II S. 129 not in force at Royal Assent, see [s. 186\(6\)](#)

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