



Health and Care Act 2022

2022 CHAPTER 31

PART 4

THE HEALTH SERVICES SAFETY INVESTIGATIONS BODY

Oversight of functions

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.

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)

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Commencement Information

- I1** S. 129 not in force at Royal Assent, see [s. 186\(6\)](#)
- I2** [S. 129](#) in force at 1.10.2023 by [S.I. 2023/1035](#), [reg. 2\(a\)](#)

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