



Management of Offenders etc. (Scotland) Act 2005

2005 asp 14

Community justice authorities

5 Special duties of chief officer of community justice authority

- (1) Where it appears to the chief officer of a community justice authority that—
 - (a) the authority is failing, or has failed, satisfactorily to exercise its functions under this Act; or
 - (b) an appropriate local authority or the Scottish Ministers are failing to comply with the community justice authority's area plan,the chief officer is, as soon as practicable, to report the failure to the Scottish Ministers.
- (2) Without prejudice to section 3(5)(g)(ii), the chief officer is, whenever required to do so by the Scottish Ministers, to report to them on the activities and performance, during such period as is specified in the requirement, of the community justice authority, appropriate local authorities, partner bodies and the Scottish Ministers in complying with, or facilitating compliance with, the community justice authority's area plan.
- (3) In subsections (1) and (2), "appropriate local authority" means a local authority the area of which is comprised within the area of the community justice authority; and in subsection (2), "partner bodies" means such persons as are designated by order under section 3(23) as partner bodies.
- (4) The reference in subsection (1)(b) to the Scottish Ministers is to the Scottish Ministers in exercise of their functions under the Prisons (Scotland) Act 1989 (c. 45) as is the second reference to the Scottish Ministers in subsection (2).