



# Health and Social Care Act 2008

## 2008 CHAPTER 14

### PART 1

#### THE CARE QUALITY COMMISSION

### CHAPTER 6

#### MISCELLANEOUS AND GENERAL

##### *Further provisions about functions of Commission*

#### **82 Failure by the Commission in discharge of its functions**

- (1) The Secretary of State may give a direction to the Commission if the Secretary of State considers that the Commission—
  - (a) is failing or has failed to discharge any of its functions, or
  - (b) is failing or has failed properly to discharge any of its functions.
- (2) A direction under subsection (1) may direct the Commission to discharge such of those functions, and in such manner and within such period or periods, as may be specified in the direction.
- (3) If the Commission fails to comply with a direction under subsection (1), the Secretary of State may—
  - (a) discharge the functions to which the direction relates, or
  - (b) make arrangements for any other person to discharge them on the Secretary of State's behalf.