



# Public Bodies Act 2011

## 2011 CHAPTER 24

### PART 1

#### GENERAL ORDER-MAKING POWERS

##### *Powers of Welsh Ministers*

#### **15 Powers of Welsh Ministers: consequential provision etc**

- (1) An order under section 13 or 14 may contain consequential, supplementary, incidental or transitional provision, or savings.
- (2) Where an order under either of those sections transfers functions, the power in subsection (1) includes power to make consequential or supplementary provision—
  - (a) to modify the constitutional or funding arrangements of the transferor or transferee (subject to subsection (4)),
  - (b) to modify functions of the transferor or transferee, or
  - (c) to confer powers of direction on the Welsh Ministers in relation to functions transferred.
- (3) Where an order under either of those sections modifies functions of a body or office-holder, the power in subsection (1) includes power to make consequential or supplementary provision to modify the constitutional or funding arrangements of the body or office (subject to subsection (4)).
- (4) Subsections (2)(a) and (3) do not confer power on the Welsh Ministers to modify the constitutional or funding arrangements of—
  - (a) the Environment Agency,
  - (b) the Forestry Commissioners, or
  - (c) any other cross-border operator.
- (5) In subsections (2) to (4) references to modifying constitutional or funding arrangements have effect as if the references in sections 3(2)(h) and (3)(e) and 4(3)(a) to a Minister were to the Welsh Ministers.

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*Changes to legislation: There are currently no known outstanding effects for the Public Bodies Act 2011, Section 15. (See end of Document for details)*

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- (6) The Secretary of State may by order modify the constitutional or funding arrangements of a person referred to in subsection (4)(a) to (c) in consequence of an order made by the Welsh Ministers under section 13 or 14.
- (7) The reference in subsection (6) to modifying the funding arrangements of a person includes modifying the extent to which the person is funded by the Welsh Ministers, but the Secretary of State may only modify the extent to which a person is funded by the Welsh Ministers with their consent.

**Changes to legislation:**

There are currently no known outstanding effects for the Public Bodies Act 2011, Section 15.