



# Public Bodies Act 2011

## 2011 CHAPTER 24

### PART 1

#### GENERAL ORDER-MAKING POWERS

##### *Restrictions on powers of Ministers and Welsh Ministers*

#### **21 Restriction on transfer and delegation of functions**

- (1) An order under the preceding provisions of this Act may not transfer any function to—
  - (a) a charity, or
  - (b) a person not otherwise exercising public functions who is not a charity, unless the charity or person has consented.
- (2) An order under the preceding provisions of this Act may not transfer an excluded function to a person not otherwise exercising public functions.
- (3) In subsection (2) “excluded function” means—
  - (a) a function of a tribunal exercising the judicial power of the State,
  - (b) a power to make subordinate legislation,
  - (c) a power of forcible entry, search or seizure,
  - (d) a power to compel the giving of evidence, or
  - (e) any other function the exercise or non-exercise of which would necessarily interfere with, or otherwise affect, the liberty of an individual.

**Changes to legislation:**

There are currently no known outstanding effects for the Public Bodies Act 2011, Section 21.