



# Natural Environment and Rural Communities Act 2006

## 2006 CHAPTER 16

### PART 8

#### FLEXIBLE ADMINISTRATIVE ARRANGEMENTS

#### CHAPTER 1

##### AGREEMENTS WITH DESIGNATED BODIES

##### *Powers to enter into agreements*

#### **81 Reserved functions**

- (1) An agreement may not authorise a designated body to perform a reserved function.
- (2) The reserved functions are—
  - (a) any function whose performance by the designated body would be incompatible with the purposes for which the body was established;
  - (b) any power of a Minister of the Crown to make or terminate appointments or lay reports or accounts;
  - (c) any power to make subordinate legislation, give directions or guidance or issue codes of practice (or to vary or revoke any of those things);
  - (d) any power to fix fees or charges other than a power prescribed for the purposes of this section by an order made by the Secretary of State;
  - (e) any function of an accounting officer in his capacity as such;
  - (f) except in relation to an agreement authorising a public body to perform functions—
    - (i) any power to enter, inspect, take samples or seize anything, and
    - (ii) any other power exercisable in connection with suspected offences;

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**Status:** *This is the original version (as it was originally enacted).*

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- (g) any function of the Secretary of State under the Water Industry Act 1991 or under any subordinate legislation made under that Act.
- (3) The power to make an order under subsection (2)(d) is exercisable by statutory instrument.
- (4) A statutory instrument containing an order under subsection (2)(d) is subject to annulment in pursuance of a resolution of either House of Parliament.