

*These notes refer to the Public Bodies Act 2011 (c.24)  
which received Royal Assent on 14th December 2011*

# **PUBLIC BODIES ACT 2011**

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## **EXPLANATORY NOTES**

### **TERRITORIAL APPLICATION: WALES**

14. Orders under sections 1 to 5 of the Act may in principle affect matters which are the responsibility of the devolved institutions in Wales, in the following respects:
  - It is possible that the exercise of the powers in sections 1 to 5 may modify functions of the Welsh Ministers or relate to matters within the legislative competence of the National Assembly for Wales. But such provision will require the consent of the National Assembly for Wales or Welsh Minister in accordance with section 9(6) to (8).
  - Section 1 of the Act specifies the Welsh Ministers as “an eligible person” to whom functions may be transferred under sections 1, 2 and 5. Again any such provision requires the consent of the Welsh Ministers under section 9(7).
  - Sections 13 and 14 confer powers on Welsh Ministers to make orders in relation to certain environmental and other public bodies in Wales.
  - The consent of Welsh Ministers is required for arrangements for the delegation of functions by the Environment Agency to a person exercising Welsh environmental functions.
  - Section 27 confers a power on Welsh Ministers to make orders in relation to the delegation of Welsh environmental functions.
  - In section 28, the consent of Welsh Ministers is required for arrangements for shared services involving a person who exercises a Welsh devolved function.
15. The National Assembly for Wales’ consent was obtained for the provisions in the Act which may, or do, affect matters which are the responsibility of the devolved institutions in Wales.