

*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**

### **COMMENTARY**

#### **Part 1: General Order-Making Powers**

##### ***Section 16: Purpose and conditions for orders made by Welsh Ministers***

54. **Section 16** stipulates the purpose for which an order under section 13 or 14 can be made. The effect of this section is to ensure that the Welsh Ministers may only make an order under these sections if they consider that the order will serve the purpose of improving the exercise of public functions, having regard to the matters described in subsection (1)(a) to (d).
55. **Subsection (2)** places restrictions on orders made by the Welsh Ministers in that they may only make an order if they consider that it does not remove any necessary protection or prevent any person from continuing to exercise any right or freedom which that person might reasonably expect to continue to exercise.