

*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 7: Restrictions on Ministerial powers***

26. **Section 7** imposes restrictions on the use of the order-making powers conferred on Ministers by sections 1 to 5. *Subsection (1)* stipulates that an order must not prevent an affected function from being exercised independently of Ministers in any of the cases set out in *subsection (2)*. *Subsection (3)* requires that provision made by an order made under sections 1 to 5 must be proportionate to the reasons for the order. The reasons for the order will be set out in the explanatory document which accompanies an order, as required by section 11(2).