

*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 15: Powers of Welsh Ministers: consequential provision etc***

51. **Section 15** provides that an order made under section 13 or 14 may include consequential, supplementary, incidental or transitional provision.
52. **Subsection (2)** provides that where an order transfers functions under section 13 or 14, the order may also modify the constitutional or funding arrangements of the person from or to whom functions are transferred, or modify the functions of such persons. It also confers a power for the Welsh Ministers to make directions in relation to functions which have been transferred.
53. **Subsection (3)** provides that where an order modifies functions of a person under section 13 or 14 the order-making power includes power to modify the constitutional or funding arrangements of that person. **Subsection (4)** restricts the consequential or supplementary order-making powers in subsections (2) and (3) such that they may not be exercised to modify the constitutional or funding arrangements of the Environment Agency, Forestry Commissioners or any other cross-border operator (as defined in section 36). Instead, **subsection (6)** confers a power on the Secretary of State to modify the constitutional or funding arrangements of such a person in consequence of an order made by the Welsh Ministers under section 13 or 14.