



# Public Bodies Act 2011

## 2011 CHAPTER 24

### PART 3

#### FINAL

### 36 Interpretation

(1) In this Act—

“charity” has the meaning given in section 1(1) of the Charities Act 2006;

“community benefit society” means—

- (a) a society registered as a community benefit society under [<sup>F1</sup>the Co-operative and Community Benefit Societies Act 2014],
- (b) [<sup>F2</sup>a pre-commencement society (within the meaning of that Act) that meets the condition in section 2(2)(a)(ii) of that Act,] or
- (c) a society registered or deemed to be registered under the Industrial and Provident Societies Act (Northern Ireland) 1969 which meets the condition in section 1(2)(b) of that Act;

“constitutional arrangements” is to be construed in accordance with section 3(2) and (3);

“co-operative society” means—

- (a) a society registered as a co-operative society under [<sup>F3</sup>the Co-operative and Community Benefit Societies Act 2014],
- (b) [<sup>F4</sup>a pre-commencement society (within the meaning of that Act) that meets the condition in section 2(2)(a)(i) of that Act,] or
- (c) a society registered or deemed to be registered under the Industrial and Provident Societies Act (Northern Ireland) 1969 which meets the condition in section 1(2)(a) of that Act;

“cross-border operator” means a person exercising functions or carrying on activities in or with respect to Wales (or any part of it) and England (or any part of it), but does not include—

- (za) [<sup>F5</sup>the Natural Resources Body for Wales,][<sup>F6</sup>or]
- (a) an internal drainage board, <sup>F7</sup>...

*Changes to legislation: There are currently no known outstanding effects for the Public Bodies Act 2011, Section 36. (See end of Document for details)*

- (b) <sup>F7</sup>...
    - “eligible person” has the meaning given in section 1(3);
    - “enactment” means any primary or subordinate legislation;
    - “Minister” means—
      - (a) a Minister of the Crown (as defined by section 8 of the Ministers of the Crown Act 1975), or
      - (b) the Commissioners for Her Majesty's Revenue and Customs;
    - “modify”, in relation to functions, is to be construed in accordance with section 5(2);
    - “modify”, in relation to funding arrangements, is to be construed in accordance with section 4(3);
    - “non-devolved function” means a function that is not a Welsh devolved function;
    - “primary legislation” means any Act, Act of the Scottish Parliament, Northern Ireland legislation or Measure or Act of the National Assembly for Wales;
    - “public function” means a function conferred under an enactment or royal charter;
    - “subordinate legislation” means an instrument made under primary legislation;
    - “Wales” has the same meaning as in the Government of Wales Act 2006;
    - “Welsh devolved function” means—
      - (a) a function conferred under an Act or Measure of the National Assembly for Wales,
      - (b) a function which is exercisable in or as regards Wales and could be conferred by an Act of the Assembly, or
      - (c) a function in relation to which a function (other than a function of being consulted) is exercisable by the Welsh Ministers, the First Minister or the Counsel General to the Welsh Assembly Government,
- and references to a person exercising a Welsh devolved function do not include a person exercising such a function by virtue of arrangements under section 27;
- “Welsh environmental function” means a Welsh devolved function relating to the environment.

<sup>F8</sup>(2) .....

<sup>F9</sup>(3) .....

<b>Textual Amendments</b>	
<b>F1</b>	Words in s. 36(1) substituted (1.8.2014) by <a href="#">Co-operative and Community Benefit Societies Act 2014</a> (c. 14), s. 154, <b>Sch. 4 para. 180(2)(a)</b> (with Sch. 5)
<b>F2</b>	Words in s. 36(1) substituted (1.8.2014) by <a href="#">Co-operative and Community Benefit Societies Act 2014</a> (c. 14), s. 154, <b>Sch. 4 para. 180(2)(b)</b> (with Sch. 5)
<b>F3</b>	Words in s. 36(1) substituted (1.8.2014) by <a href="#">Co-operative and Community Benefit Societies Act 2014</a> (c. 14), s. 154, <b>Sch. 4 para. 180(3)(a)</b> (with Sch. 5)
<b>F4</b>	Words in s. 36(1) substituted (1.8.2014) by <a href="#">Co-operative and Community Benefit Societies Act 2014</a> (c. 14), s. 154, <b>Sch. 4 para. 180(3)(b)</b> (with Sch. 5)

---

**Changes to legislation:** There are currently no known outstanding effects for the Public Bodies Act 2011, Section 36. (See end of Document for details)

---

- F5** Words in s. 36(1) inserted (18.7.2013 with effect in accordance with art. 1(3)) by The Natural Resources Body for Wales (Consequential Provision) Order 2013 (S.I. 2013/1821), arts. 1(2), **3(3)** (with art. 24)
- F6** Word in s. 36(1) inserted (E.W.) (14.7.2017) by Environment (Wales) Act 2016 (anaw 3), s. 88(3)(c), **Sch. 2 para. 26(3)(a)**; S.I. 2017/714, art. 2
- F7** Words in s. 36(1) omitted (E.W.) (14.7.2017) by virtue of Environment (Wales) Act 2016 (anaw 3), s. 88(3)(c), **Sch. 2 para. 26(3)(b)**; S.I. 2017/714, art. 2
- F8** S. 36(2) repealed (1.8.2014) by Co-operative and Community Benefit Societies Act 2014 (c. 14), s. 154, **Sch. 7** (with Sch. 5)
- F9** S. 36(3) repealed (1.8.2014) by Co-operative and Community Benefit Societies Act 2014 (c. 14), s. 154, **Sch. 7** (with Sch. 5)

**Changes to legislation:**

There are currently no known outstanding effects for the Public Bodies Act 2011, Section 36.