



Public Bodies Act 2011

2011 CHAPTER 24

PART 1

GENERAL ORDER-MAKING POWERS

Restrictions on powers of Ministers and Welsh Ministers

21 Restriction on transfer and delegation of functions

- (1) An order under the preceding provisions of this Act may not transfer any function to—
 - (a) a charity, or
 - (b) a person not otherwise exercising public functions who is not a charity, unless the charity or person has consented.
- (2) An order under the preceding provisions of this Act may not transfer an excluded function to a person not otherwise exercising public functions.
- (3) In subsection (2) “excluded function” means—
 - (a) a function of a tribunal exercising the judicial power of the State,
 - (b) a power to make subordinate legislation,
 - (c) a power of forcible entry, search or seizure,
 - (d) a power to compel the giving of evidence, or
 - (e) any other function the exercise or non-exercise of which would necessarily interfere with, or otherwise affect, the liberty of an individual.