

Draft Order laid before the House of Commons under section 6(2) of the Government Trading Funds Act 1973 for approval by resolution of that House.

DRAFT STATUTORY INSTRUMENTS

2011 No. 000

DEFENCE

The Defence Science and Technology
Laboratory Trading Fund Order 2011

Made - - - - - ***
Coming into force - - - - - ***

The Defence Research Agency Trading Fund Order 1993(1) established a trading fund known as the Defence Research Agency Trading Fund under the Government Trading Funds Act 1973(2).

The 1993 Order was varied by the Defence Evaluation and Research Agency Trading Fund Order 1995(3) and the trading fund was renamed and known as the Defence Evaluation and Research Agency Trading Fund.

The 1995 Order was amended by the Defence Evaluation and Research Agency Trading Fund (Amendment) Order 1996(4).

The 1993, 1995 and 1996 Orders were varied by the Defence Science and Technology Laboratory Trading Fund Order 2001(5) and the trading fund was renamed and known as the Defence Science and Technology Laboratory Trading Fund

It now appears to the Secretary of State for Defence (“the Secretary of State”) that—

- (a) the existing operations of the Defence Science and Technology Laboratory Trading Fund should continue to be financed by means of a trading fund,
- (b) additional operations of the Ministry of Defence are suitable to be financed by means of a trading fund and, in particular, to be so managed that the revenue of the fund would consist principally of receipts in respect of goods or services provided in the course of the operations in question,
- (c) the financing of those additional operations by means of a trading fund would be in the interests of the improved efficiency and effectiveness of the management of those operations, and

(1) [S.I. 1993/380](#).

(2) [1973 c. 63](#), as amended by the Government Trading Act 1990 ([c.30](#)). Other relevant amendments were made by sections 119 and 123 and Schedule 19 of the Finance Act 1991 ([c. 31](#)), section 210 and Schedule 22 of the Finance Act 1993 ([c. 34](#)) and section 108 of the Finance Act 2001 ([c.9](#)).

(3) [S.I. 1995/650](#).

(4) [S.I. 1996/1447](#).

(5) [S.I. 2001/1246](#).

- (d) the operations of the Defence Science and Technology Laboratory Trading Fund should be extended to those additional operations.

In accordance with section 6(2) of the Government Trading Funds Act 1973, a draft of this Order extending the funded operations has been laid before the House of Commons and has been approved by a resolution of that House.

The Secretary of State in exercise of the powers conferred by sections 1, 2, 2A(1), 2C and 6(1) of the Government Trading Funds Act 1973 and with the concurrence of the Treasury makes the following Order:

Citation and commencement

1. This Order may be cited as the Defence Science and Technology Laboratory Trading Fund Order 2011 and shall come into force on the day after the day on which it is made.

Continuation and extension of the fund

- 2.—(1) There shall continue to be a trading fund known as the Defence Science and Technology Laboratory Trading Fund (“the fund”).
- (2) As from the date this Order comes into force, the operations of the fund shall be extended.
- (3) The funded operations are set out in Schedule 1.

Authorised Lender

3. The Secretary of State for Defence continues to be designated as the source of issues to the fund by way of loan.

Assets and liabilities of the fund

4. The Crown assets and liabilities set out in Schedule 2 continue to be appropriated as assets and liabilities of the fund.

Public dividend capital

5. The public dividend capital of the fund continues to be £50,400,000.

Maximum borrowing

6. The maximum amount that may be issued to the fund under section 2C of the Government Trading Funds Act 1973 continues to be £100,000,000.

Revocation of Orders

7. The following orders are revoked—
- (a) the Defence Research Agency Trading Fund Order 1993;
 - (b) the Defence Evaluation and Research Agency Trading Fund Order 1995;
 - (c) the Defence Evaluation and Research Agency Trading Fund (Amendment) Order 1996;
 - (d) the Defence Science and Technology Laboratory Trading Fund Order 2001.

Signed by authority for the Secretary of State for Defence

Date

Name
Parliamentary under Secretary of State
Ministry of Defence

We Concur

Date

Two of the Lords Commissioners of Her
Majesty's Treasury

SCHEDULE 1

Article 2(3)

Funded operations

The operations of the Defence Science and Technology Laboratory Trading Fund to be funded by the fund are—

- (a) the provision of scientific and technical services and support and associated goods to the Ministry of Defence;
- (b) the provision of such services, support and goods to other customers in the United Kingdom and overseas;
- (c) operations incidental, conducive or otherwise ancillary to the foregoing.

SCHEDULE 2

Article 4

Assets and liabilities that continue to be appropriated to the fund

PART 1

Assets

Land and buildings, as at the date this Order comes into force, used or allocated for use in the funded operations;

Plant, facilities machinery, fixtures, fittings, vehicles, equipment and computer hardware and software, as at that date, used or allocated for use in the funded operations;

Intangible assets arising from the funded operations carried on as at that date;

Current assets, as at that date, used or allocated for use in or arising from the funded operations.

PART 2

Liabilities

Creditors, accruals, deferred income and provisions, as at the date this Order comes into force, in relation to the funded operations.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order, which comes into force on the day after the Order is made, provides for the continuation and extension, from that date, of a trading fund established under section 1 of the Government Trading Funds Act 1973 and known since 1st July 2001 as the Defence Science and Technology Laboratory Trading Fund (“DSTL”).

The fund was established on 1st April 1993 and known as the Defence Research Agency Trading Fund. The funded operations were extended in 1995 and the fund renamed as the Defence Evaluation and Research Agency Trading Fund. Certain operations were then removed from the fund in 1996 and again in 2001 when the fund was renamed as DSTL.

Article 2 and Schedule 1 set out the funded operations. The description of the funded operations set out in that Schedule covers both the continuing operations and the additional operations.

Article 3 provides that the Secretary of State for Defence continues as the authorised lender to the fund.

Article 4 and Schedule 2 set out the assets and liabilities which continue to be appropriated to the fund. No assets or liabilities are attributable to the extended operations.

Article 5 sets out the public dividend capital of the fund.

Article 6 sets out the maximum amount that may be borrowed by the fund, which continues to be £100,000,000.

Article 7 revokes the 1993, 1995, 1996 and 2001 Orders.