

**2009 No. 81**

**GOVERNMENT TRADING FUNDS**

**OGCbuying.solutions Trading Fund (Extension and  
Amendment) Order 2009**

*Made* - - - - 20th January 2009

*Coming into force* - - 21st January 2009

The OGCbuying.solutions Trading Fund (“the Fund”) was established under the Government Trading Funds Act 1973(a) (“the 1973 Act”) by the Buying Agency Trading Fund Order 1991(b) with effect from 1st April 1991;

It appears to the Chancellor of the Exchequer that—

- (a) additional operations of OGCbuying.solutions, consisting of the procurement and supply of goods and services to all public bodies and to other organisations whose activities involve the delivery of public services, 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 and services provided in the course of the operations in question; and
- (b) the financing of those 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
- (c) the operations of the Fund should extend to those operations;

It appears to the Chancellor of the Exchequer that certain of the existing operations of the Fund are no longer suitable to be financed by means of a trading fund and should therefore cease to be operations of the Fund;

In accordance with sections 1(3) and 6(4) of the 1973 Act the Chancellor of the Exchequer has taken such steps as appear to him to be appropriate to give an opportunity to such persons as appear to him to be appropriate to make representations and has laid before Parliament a report about the representations and the conclusions;

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

The Chancellor of the Exchequer, in exercise of the powers conferred by sections 1(1) and 6(1) of the 1973 Act, with the concurrence of the Treasury makes the following Order:

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(a) 1973 c. 63; the 1973 Act was amended by the Government Trading Act 1990 (c. 30) and the 1973 Act as so amended is set out in Schedule 1 to the 1990 Act; section 2 was further amended by section 119 of the Finance Act 1991 (c. 31) and Schedule 22 to the Finance Act 1993 (c. 34).  
(b) S.I. 1991/875, amended by S.I. 1992/123, S.I. 1995/1665, S.I. 1996/1080, S.I. 2000/648, S.I. 2001/922 and S.I. 2004/3277.

### **Citation and commencement**

1. This Order may be cited as the OGCbuying.solutions Trading Fund (Extension and Amendment) Order 2009 and comes into force on the day after the day on which it is made.

### **Amendment of the principal Order**

2. For Schedule 1 (Funded Operations) of the Buying Agency Trading Fund Order 1991, there is substituted the Schedule to this Order.

20th January 2009

*Alistair Darling*  
Chancellor of the Exchequer

We concur

14th January 2009

*Tony Cunningham*  
*Frank Roy*  
Two of the Lords Commissioners of Her Majesty's Treasury

## **SCHEDULE**

Article 2

### **“SCHEDULE 1**

#### **Funded Operations**

1. The operations to be funded by the fund are:
  - (a) the procurement and supply of goods and services to or on behalf of government departments and non departmental public bodies;
  - (b) the procurement and supply of goods and services to or on behalf of local authorities, public corporations, NHS authorities and trusts, and public and other bodies carrying out any function of a public nature;
  - (c) the procurement and supply of goods and services to or on behalf of a third sector organisation whose activities involve the delivery of public services; and
  - (d) the carrying out of operations incidental, conducive or otherwise ancillary to the conduct of the operations described above.
2. “Third sector organisation” means an organisation that exists wholly or mainly to provide benefits for society or the environment.”

## **EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order extends and otherwise amends the description of the funded operations to which the Buying Agency Trading Fund Order 1991 (which established the OGCbuying.solutions Trading Fund) applies. Those operations will now comprise the procurement and supply of goods and services to or on behalf of the various bodies listed in the Schedule to this Order and the carrying out of incidental, conducive or ancillary operations.

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STATUTORY INSTRUMENTS

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£4.00