EXPLANATORY MEMORANDUM TO

THE BUYING AGENCY TRADING FUND (AMENDMENT) ORDER 2011

2011 No. 2208

1. This explanatory memorandum has been prepared by Buying Solutions and is laid before the House of Commons by Command of Her Majesty.

2. Purpose of the instrument

The amendments to the Buying Agency Trading Fund Order 1991 are being made to change the name of the Trading Fund from 'Buying Solutions' to 'Government Procurement Service'.

3. Matters of special interest to the Joint Committee on Statutory Instruments *or* the Select Committee on Statutory Instruments

None.

4. Legislative Context

The enabling act is the Government Trading Funds Act 1973. The Buying Agency Trading Fund Order 1991 established the 'Buying Agency Trading Fund', which later become known as 'OGCbuying.solutions' and, most recently, 'Buying Solutions'.

5. Territorial Extent and Application

This instrument applies to all of the United Kingdom.

6. European Convention on Human Rights

As the instrument is subject to negative resolution procedure and does not amend primary legislation, no statement is required.

7. Policy background

- *What is being done and why*

7.1 The Buying Agency Trading Fund Order 1991 established the body that became 'Buying Solutions' as a trading fund and set out which of the agency's operations were to be funded by the operations of the Trading Fund.

7.2 The change in name to 'Government Procurement Service' is necessary in order for the organisation to clearly identify and align itself as the delivery arm of 'Government Procurement', a new integrated organisation that will reform procurement within Central Government. It will achieve this through centralising the

procurement of common goods and services, whilst improving technology, processes and Government wide procurement resources.

- *Consolidation*

7.3 There are no plans to consolidate the principal Order. The Order addresses matters of internal Government funding arrangements, and there is no substantive impact on business or the general public.

8. Consultation outcome

There has been no consultation outside Government, given the nature of the change.

9. Guidance

There are no plans to issue guidance, given the nature of the change. Customers and suppliers will be formally notified of the change of name; this will include a press release with supporting marketing.

10. Impact

No impact on the private or voluntary sectors is foreseen. Therefore, an impact assessment has not been prepared for this instrument.

11. Regulating small business

The legislation does not affect small business.

12. Monitoring & review

There are no plans to subject the change to monitoring or review, as the need for a further change will only arise if the name of the Fund is changed again, in which case appropriate further action will be taken.

13. Contact

David Murray at Buying Solutions (Tel: 0151 672 2366 or email: david.murray@buyingsolutions.gsi.gov.uk) can answer any queries regarding the instrument.