EXPLANATORY MEMORANDUM TO

THE FORENSIC SCIENCE SERVICE TRADING FUND (REVOCATION) ORDER 2005

2005 No. 3138

1. This explanatory memorandum has been prepared by The Home Office and is laid before Parliament by Command of Her Majesty.

2. Description

2.1 This instrument ends the status of the Forensic Science Service (FSS) as a Trading Fund.

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

3.1 None

4. Legislative Background

4.1 This instrument revokes the terms of The Forensic Science Service Trading Fund Order 1998 (No. 3197), which came into force on 1st April 1999.

5. Extent

5.1 This instrument applies to England and Wales.

6. European Convention on Human Rights

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

7. Policy background

7.1 Following the findings of the McFarland Review of the FSS (2003), the Home Office made a policy decision to promote greater competition in the forensic science market. In the context of this increasingly dynamic and commercial environment the Home Office has recognised the constraints imposed on the FSS by its status as a Trading Fund, and their impact on its ability to compete successfully, particularly in the face of developing technology. The revocation of Trading Fund status is a first step in transforming the FSS into a wholly-owned Government Company which will be given the appropriate powers, freedoms, structures and resources to operate on a robust and sustainable basis at arm's length from the Home Office.

8. Impact

8.1 A Regulatory Impact Assessment has not been prepared for this instrument as it has no impact on business, charities or voluntary bodies

8.2 The impact on the public sector is that the Forensic Science Service will cease to be an Executive Agency of the Home Office.

9. Contact

Bill Potts at the Home Office Tel: 0207 035 3056 or e-mail: Bill.Potts@homeoffice.gsi.gov.uk can answer any queries regarding the instrument.