

*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.*

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DRAFT STATUTORY INSTRUMENTS

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**2018 No. 000**

**EXITING THE EUROPEAN UNION  
GOVERNMENT TRADING FUNDS**

**The Medicines and Healthcare Products Regulatory  
Agency Trading Fund (Amendment) (EU Exit) Order 2018**

*Made* - - - - *\*\*\**

*Coming into force in accordance with article 1*

The Secretary of State for Health and Social Care, with the concurrence of the Treasury, makes this Order in exercise of the powers conferred by sections 1(1) and 6(1) of the Government Trading Funds Act 1973(1) (the 1973 Act).

It appears to the Secretary of State that the operations of the Department of Health and Social Care covered by this Order are suitable to be financed by means of the fund established by the Medicines and Healthcare Products Regulatory Agency Trading Fund Order 2003(2) (the 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 both the existing operations financed by means of the Fund and the additional operations financed by means of the Fund by virtue of this Order.

It also appears to the Secretary of State that the financing of the operations in question by means of the Fund would be in the interests of the improved efficiency and effectiveness of the management of those operations.

In accordance with section 2(1)(a) of the 1973 Act(3), the Secretary of State has determined with Treasury concurrence that no Crown assets or liabilities, other than those already appropriated to the Fund, are properly attributable to any additional operations financed by means of the Fund by virtue of this Order.

In accordance with section 4A(2) of the 1973 Act(4), the Secretary of State has determined with Treasury concurrence that no assets or liabilities of the Fund are properly attributable to any operations ceasing to be financed by means of the Fund by virtue of this Order.

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(1) 1973 c.63. Section 1 was substituted, except in relation to Crown Suppliers, by section 1(1) of the Government Trading Act 1990 (c.30) (the 1990 Act); section 6(1) was substituted, except in relation to Crown Suppliers, by section 2(3) of the 1990 Act. See section 1(7) for the definition of “Minister of the Crown”. See also section 1(2), which provides that a power to make an order under section 1 is only exercisable with Treasury concurrence.

(2) S.I. 2003/1076; this instrument has been amended by S.I. 2005/2061, 2006/2407, 2011/1043, 2012/1916 and 2014/432.

(3) Section 2 was substituted by section 1 of the 1990 Act and amended by the Finance Act 1991 (c.31), section 119(3), and the Finance Act 1993 (c.34), Schedule 22, paragraph 2.

(4) Section 4A was inserted by section 1(2) of the Government Trading Act 1990 (c.30) (the 1990 Act).

In accordance with section 6(2) of the 1973 Act<sup>(5)</sup>, a draft of this Order has been laid before the House of Commons and has been approved by a resolution of that House.

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(5) Section 6(2) was substituted by section 2(3) of the 1990 Act.