

2002 No. 134

PUBLIC FINANCE AND ACCOUNTABILITY

The Budget (Scotland) Act 2001 (Amendment) Order 2002

Made

12th March 2002

Coming into force

13th March 2002

The Scottish Ministers, in exercise of the powers conferred by section 7(1) of the Budget (Scotland) Act 2001^(a) and of all other powers enabling them in that behalf, hereby make the following Order, a draft of which has, in accordance with section 7(2) of that Act, been laid before, and approved by resolution of, the Scottish Parliament:

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Budget (Scotland) Act 2001 (Amendment) Order 2002 and shall come into force on the day following that on which it is made.

(2) In this Order “the 2001 Act” means the Budget (Scotland) Act 2001.

Amendment of the 2001 Act

2.—(1) The 2001 Act is amended as follows.

(2) In section 3 (overall cash authorisations)^(b) the amounts specified are amended in accordance with Schedule 1 to this Order.

(3) In section 5(1) (capital expenditure of local authorities etc.)^(c) for “£646,165,000” substitute “£634,965,000”.

(4) In schedule 1^(d)—

- (a) in entry number 4 (Scottish Executive Enterprise and Lifelong Learning Department) after “departmental investment assistance grants” insert “; funding for *learnndirect scotland*; energy efficiency, renewable energy, digital inclusion”;
- (b) in entry number 6 (Scottish Executive Justice Department) omit “;” in “criminal justice, social work services and victim issues including probation and supervised attendance orders”; and
- (c) the amounts specified in columns 2 and 4 are amended in accordance with Schedule 2 to this Order.

(a) 2001 asp 4.

(b) Section 3 was amended by the Budget (Scotland) Act 2001 (Amendment) Order 2001 (S.S.I. 2001/480), article 2(2) and Schedule 1.

(c) Section 5(1) was amended by article 2(3) of S.S.I. 2001/480.

(d) Schedule 1 was substituted by article 2(4) and Schedule 2 to S.S.I. 2001/480.

- (5) In schedule 2(a)–
- (a) in Part 4 (Scottish Executive Enterprise and Lifelong Learning Department)–
- (i) for entry number 1 in the table substitute–

| | |
|---|---|
| 1. Repayments of student loans and grants and interest capitalised on student loans | Expenditure of the Student Awards Agency for Scotland |
|---|---|

- ; and
- (ii) in entry number 4 in the table, after “investment management” insert “, voted loans interest”; and
- (b) the amounts specified at the end of each Part are amended in accordance with Schedule 3 to this Order.
- (6) In schedule 3(b), in entry number 1 (Forestry Commissioners)–
- (a) in column 2 for “£77,020,000” substitute “£86,020,000”; and
- (b) in column 4 for “£100” substitute “£50,000,000”.
- (7) In schedule 4, in Part 1 (Forestry Commissioners) for “£100” substitute “£5,000,000”.

ANDREW P KERR
A member of the Scottish Executive

St Andrew's House,
Edinburgh
12th March 2002

SCHEDULE 1

AMENDMENTS TO AMOUNTS SPECIFIED IN SECTION 3 OF THE 2001
ACT

In section 3 of the 2001 Act, in the paragraphs specified in column 1 of the table below, for the amounts specified in those paragraphs (and which amounts are, for convenience, shown in italics in column 2 of the table) there are substituted the amounts specified in relation to those paragraphs in column 3 of the table.

| <i>Paragraph</i> | <i>Existing overall cash authorisation</i> | <i>New overall cash authorisation</i> |
|-------------------------------|--|---------------------------------------|
| (a) (Scottish Administration) | <i>£18,306,658,000</i> | <i>£17,677,909,000</i> |
| (b) (Forestry Commissioners) | <i>£36,820,000</i> | <i>£45,820,000</i> |

SCHEDULE 2

AMENDMENTS TO AMOUNTS SPECIFIED IN SCHEDULE 1 TO THE 2001 ACT

1. In schedule 1 to the 2001 Act, in the entries specified in column 1 of the table below, for the amounts specified in relation to those entries in columns 2 and 4 of that schedule (and which amounts are, for convenience, shown in italics in columns 2 and 4 of the table) there are substituted the amounts specified in relation to those entries in columns 3 and 5 respectively of the table.

2. Where no amount is specified in any entry in column 5 of the table, no amendment is made to the amount specified in the entry in column 4 of the schedule to which that entry relates.

| <i>Entry Number</i> | <i>Existing amount of resources other than accruing resources</i> | <i>New amount of resources other than accruing resources</i> | <i>Existing amount of accruing resources</i> | <i>New amount of accruing resources</i> |
|---|---|--|--|---|
| 1. (Scottish Executive Environment and Rural Affairs Department) | <i>£1,045,857,000</i> | £1,035,705,000 | <i>£40,736,000</i> | £40,663,000 |
| 2. (Scottish Executive Development Department) | <i>£1,753,083,000</i> | £1,722,035,000 | <i>£750,000</i> | £1,369,000 |
| 3. (Scottish Executive Education Department) | <i>£725,093,000</i> | £727,887,000 | <i>£100,000</i> | - |
| 4. (Scottish Executive Enterprise and Lifelong Learning Department) | <i>£2,486,192,000</i> | £2,149,014,000 | <i>£56,340,000</i> | - |
| 5. (Scottish Executive Health Department) | <i>£5,709,840,000</i> | £5,603,017,000 | <i>£12,100,000</i> | - |
| 6. (Scottish Executive Justice Department) | <i>£1,077,355,000</i> | £1,089,528,000 | <i>£2,901,000</i> | - |
| 7. (Scottish Executive Administration) | <i>£237,199,000</i> | £240,669,000 | <i>£63,000</i> | - |
| 8. (General Register Office for Scotland) | <i>£18,736,000</i> | £18,988,000 | - | - |
| 9. (National Archives of Scotland) | <i>£8,229,000</i> | £8,359,000 | <i>£55,000</i> | £140,000 |
| 9A. (Scottish Executive Finance and Central Services Department) | <i>£5,946,196,000(*)</i> | £5,959,505,000(*) | <i>£100(*)</i> | - |
| 10. (Crown Office and Procurator Fiscal Service) | <i>£61,628,000</i> | £65,225,000 | <i>£175</i> | - |

(*) To the extent that this sum was not already drawn down by Development, Education and Administration Departments while relevant responsibility remained in those departments.

SCHEDULE 3

AMENDMENTS TO AMOUNTS SPECIFIED IN SCHEDULE 2 TO THE 2001 ACT

In schedule 2 to the 2001 Act, in the Parts specified in column 1 of the table below, for the amounts specified at the end of those Parts (and which amounts are, for convenience, shown in italics in column 2 of the table) there are substituted the amounts specified in relation to those Parts in column 3 of the table.

| <i>Part</i> | <i>Existing overall amount of accruing resources</i> | <i>New overall amount of accruing resources</i> |
|---|--|---|
| 3. (Scottish Executive Education Department) | <i>£500,000</i> | £583,000,000 |
| 4. (Scottish Executive Enterprise and Lifelong Learning Department) | <i>£20,000,000</i> | £45,000,000 |
| 8. (Registrar General of Births, Deaths and Marriages for Scotland) | <i>£3,500,000</i> | £3,200,000 |
| 9. (Keeper of the Records of Scotland) | <i>£700,000</i> | £1,100,000 |

EXPLANATORY NOTE

(This Note is not part of the Order)

This Order amends the Budget (Scotland) Act 2001 (“the 2001 Act”), which makes provision, for financial year 2001/02, for the use of resources by the Scottish Administration and certain bodies whose expenditure is payable out of the Scottish Consolidated Fund, for authorising the use of resources, and for limits on the capital expenditure of and borrowing of local authorities and certain other public bodies. In particular, the Order amends that Act so as to—

(1) alter the overall cash authorisations for the purposes of section 4(2) of the Public Finance and Accountability (Scotland) Act 2000 (asp 1) (article 2(2));

(2) alter the maximum amount for the purposes of section 94(5) of the Local Government (Scotland) Act 1973 (c.65) (which provides for limits on the amount of capital expenses which may be incurred by local authorities in any financial year) (article 2(3));

(3) amend the purposes for which resources may be used, in accordance with section 1 of and schedule 1 to the 2001 Act, by the Scottish Ministers through the Scottish Executive Enterprise and Lifelong Learning Department and the Scottish Executive Justice Department (articles 2(4)(a) and (b));

(4) alter the amounts of resources which may be used, in accordance with section 1 of and schedule 1 to the 2001 Act, by the Scottish Administration (article 2(4)(c));

(5) amend the types of accruing resource which may be used, in accordance with section 1 of and schedule 2 to the 2001 Act, by the Scottish Ministers through the Scottish Executive Enterprise and Lifelong Learning Department (article 2(5)(a));

(6) alter the overall amounts of accruing resources which may be used, in accordance with section 1 of and schedule 2 to the 2001 Act, by the Scottish Administration (article 2(5)(b));

(7) alter the amounts of resources which may be used, in accordance with section 2 of and schedule 3 to the 2001 Act, by the Forestry Commissioners (article 2(6)); and

(8) alter the overall amount of accruing resources which may be used, in accordance with section 2 of and schedule 3 to the 2001 Act, by the Forestry Commissioners (article 2(7)).

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