

2003 No. 603

PUBLIC FINANCE AND ACCOUNTABILITY

**The Budget (Scotland) Act 2003 Amendment (No. 2)
Order 2003**

Made - - - - - *15th December 2003*

Coming into force - - - - - *16th December 2003*

The Scottish Ministers, in exercise of the powers conferred by section 7(1) of the Budget (Scotland) Act 2003(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 and commencement

1. This Order may be cited as the Budget (Scotland) Act 2003 Amendment (No. 2) Order 2003 and shall come into force on the day following that on which it is made.

Amendment of the Budget (Scotland) Act 2003

2.—(1) The Budget (Scotland) Act 2003 is amended in accordance with paragraphs (2) to (6) of this article.

(2) In section 3 (overall cash authorisations)—

- (a) for “£20,299,027,000” substitute “£21,219,337,000”;
- (b) for “£88,752,000” substitute “£49,116,000”;
- (c) for “£6,100,000” substitute “£6,435,000”;
- (d) for “£202,930,000” substitute “£250,154,000”; and
- (e) for “£5,744,000” substitute “£8,286,000”.

(3) In section 5(1) (capital expenditure of, and borrowing by, certain statutory bodies) for “£631,600,000” substitute “£530,160,000”.

(4) In schedule 1—

(a) in column 1 (purpose)—

- (i) in relation to the first purpose after “heritage;” insert “pension contributions;”;
- (ii) in relation to the second purpose—
 - (aa) delete from “roads ” to “rail grants;”;
 - (bb) delete from the second “expenditure” to “schemes;”;
 - (cc) at the end insert “; charity law regulations”;
- (iii) in relation to the third purpose delete “early education;”;

(a) 2003 asp 6. The Budget (Scotland) Act 2003 (asp 6) was amended by the Budget (Scotland) Act 2003 Amendment Order 2003 (S.I. 2003/330).

- (iv) in relation to the fourth purpose–
 - (aa) after the first “Enterprise” insert “, Transport”; and
 - (bb) at the end insert “; European Structural Fund grants to public corporations, non-departmental public bodies, local authorities and other bodies and organisations; roads and certain associated services, including the acquisition of land, lighting and road safety; assistance to local transport; support for transport services in the highlands and islands; piers and harbours; grant aid to British Waterways Board in respect of Scotland’s inland waterways; funding for most of the rail services in Scotland; other rail grants; certain other transport services and grants; expenditure relating to Highlands and Islands Airports Limited and the privatisation of the Scottish Bus Group; grants to local authorities forming part of the Strathclyde Passenger Transport Area; miscellaneous costs in relation to ports and harbours; payments to former members of Scottish Transport Group pension schemes”;
 - (v) in relation to the fifth purpose after “community care;” insert “payments to Inland Revenue;”;
 - (vi) in relation to the tenth purpose delete from “European” to “organisations;”; and
 - (vii) in relation to the eleventh purpose delete from “;costs of” to the end;
 - (b) in column 2 (amount of resources other than accruing resources)–
 - (i) in relation to the first purpose for “£1,033,353,000” substitute “£1,219,537,000”;
 - (ii) in relation to the second purpose for “£2,151,214,000” substitute “£1,306,943,000”;
 - (iii) in relation to the third purpose for “£590,602,000” substitute “£650,114,000”;
 - (iv) in relation to the fourth purpose for “£2,334,553,000” substitute “£3,805,656,000”;
 - (v) in relation to the fifth purpose for “£6,666,228,000” substitute “£6,656,985,000”;
 - (vi) in relation to the sixth purpose for “£1,161,964,000” substitute “£1,212,383,000”;
 - (vii) in relation to the seventh purpose for “£226,966,000” substitute “£237,077,000”;
 - (viii) in relation to the eighth purpose for “£7,942,000” substitute “£9,225,000”;
 - (ix) in relation to the ninth purpose for “£8,286,000” substitute “£10,036,000”;
 - (x) in relation to the tenth purpose for “£7,180,569,000” substitute “£7,153,531,000”;
 - and
 - (xi) in relation to the eleventh purpose for “£86,850,000” substitute “£88,489,000”;
 - (c) in column 3 (type of accruing resource)–
 - (i) in relation to the fourth type of accruing resources insert after “Enterprise” “and Caledonian MacBrayne; the repayment of Student Loans; and sale of property, land and equipment; repayment of loans”; and
 - (ii) in relation to the eleventh type of accruing resources for “miscellaneous income” substitute “sale of assets”; and
 - (d) in column 4 (amount of accruing resources)–
 - (i) in relation to the first purpose for “£27,748,000” substitute “£68,046,000”;
 - (ii) in relation to the second purpose for “£750,000” substitute “£100”;
 - (iii) in relation to the third purpose for “£100” substitute “£1,305,000”;
 - (iv) in relation to the fourth purpose for “£47,133,000” substitute “£48,742,000”;
 - (v) in relation to the sixth purpose for “£366,000” substitute “£1,276,000”; and
 - (vi) in relation to the eleventh purpose for “£100” substitute “£10,000”.
- (5) In schedule 2–
- (a) in Part 1, in column 1, in relation to the first type, from “and Fisheries” to “under” substitute “under a”;

- (b) in Part 1, in column 1, in relation to the second type, from “European” to the end substitute “receipts from the Meat and Livestock Commission under Ministerial Direction”;
- (c) in Part 1, in column 1, in relation to the third type, delete from “EU” to the end;
- (d) in Part 1, in column 1, in relation to the fourth type, delete from “payments” to the end;
- (e) in Part 1, in column 2, in relation to the first type, delete “ and FRS”;
- (f) in Part 1, for the overall amount of “£50,000,000” substitute “£88,400,000”;
- (g) in Part 2, in column 1–
- (i) delete entries 2 and 3;
 - (ii) in entry 6 after “councils” insert “and Registered Social Landlords”; and
 - (iii) in entry 7 after “sales” insert “following housing stock transfer”;
- (h) in Part 2, in column 2, delete entries 2 and 3;
- (i) in Part 2, after entry 8 insert–

“

9. Receipts from Energy Action Grant Agency in respect of energy efficiency matters	Expenditure on Central Heating Programme
---	--

”;

- (j) in Part 2, for the overall amount of “£44,870,000” substitute “£60,000,000”;
- (k) in Part 3, in column 1, in relation to the first type, delete “and early education”;
- (l) in Part 3, after entry 3 insert–

“

4. Recovery of costs from Youthlink	Expenditure on education services
5. Income from sales and grants in respect of the Royal Commission on Ancient and Historical Monuments of Scotland	Expenditure on tourism and culture

”;

- (m) in Part 3, for the overall amount of “£21,000,000” substitute “£28,000,000”;
- (n) in Part 4–
- (i) after entry 3, insert–

“

4. Income from European Structural Funds	Expenditure on projects supported by European Union funding
5. Rents from land and property; Erskine Bridge toll income; income from administering harbours orders	Expenditure on motorways and trunk roads; expenditure on miscellaneous costs in relation to ports and harbours
6. Any sums accruing as a result of the dissolution of Scottish Transport Group	Payments to former members of Scottish Transport Group pensions schemes

”;

- (ii) for the overall amount of “£95,000,000” substitute “£125,000,000”;
- (o) in Part 6, for the overall amount of “£24,964,000” substitute “£28,000,000”;

- (p) in Part 8, in column 1–
- (i) in relation to entry 1, from the second “sales” to “income” substitute “royalties from sales on the internet; reappportioned income”;
 - (ii) in relation to entry 2, after “services;” insert “ reappportioned”;
 - (iii) in relation to entry 3, after “Register;” where it second occurs insert “reappportioned”; and
 - (iv) in relation to entry 4, from the second “sales” to “income” substitute “income from sales of population statistics; reappportioned income”;
- (q) in Part 8, for the overall amount of “£3,000,000” substitute “£3,700,000”;
- (r) in Part 9–
- (i) in column 1, for the words from “binding” to the end substitute “specialist services; income from Registers of Scotland Executive Agency for associated services; external advertising on General Register House”; and
 - (ii) for the overall amount of “£1,000,000” substitute “£800,000”;
- (s) in Part 10–
- (i) for entry 1 substitute–
- “

1. Income from marketing	Expenditure on marketing
--------------------------	--------------------------

 ”;
- and
- (ii) for the overall amount of “£951,814,000” substitute “£952,314,000”; and
- (t) in Part 11, for the overall amount of “£175,000” substitute “£300,000”.
- (6) In schedule 3, in column 2 (amount of resources other than accruing resources)–
- (a) in relation to the first purpose, for “£73,104,000” substitute “£75,385,000”;
 - (b) in relation to the second purpose, for “£6,100,000” substitute “£6,500,000”;
 - (c) in relation to the third purpose, for “£185,834,000” substitute “£269,958,000”; and
 - (d) in relation to the fourth purpose, for “£6,199,000” substitute “£8,741,000”.

ANDREW P KERR
A member of the Scottish Executive

St Andrew’s House,
Edinburgh
15th December 2003

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Budget (Scotland) Act 2003 (“the 2003 Act”), which makes provision, for financial year 2003/04, 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.

The 2003 Act was previously amended by the Budget (Scotland) Act 2003 Amendment Order 2003 (S.I. 2003/330).

In particular, this Order further amends the 2003 Act so as to—

- (a) alter the overall cash authorisations in respect of all the bodies referred to in section 3 of the 2003 Act (article 2(2));
- (b) 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));
- (c) restate the purposes for which resources may be used in accordance with section 1 and schedule 1 to the 2003 Act (article 2(4)(a)(i) and (ii));
- (d) restate the amounts of resources other than accruing resources that may be used for the 11 purposes set out in schedule 1 to the 2003 Act (article 2(4)(b)(i) to (xi));
- (e) restate the amounts of accruing resources in schedule 1 to the 2003 Act in respect of the first, second, third, fourth, sixth and eleventh type of accruing resources (article 2(4)(d)(i) to (vi));
- (f) amend, add to, and delete certain of the types of accruing resources and corresponding purposes in Parts 1 to 11 of schedule 2 (article 2(5));
- (g) alter the overall amounts of accruing resources in Parts 1 to 11 (other than 5 and 7) of schedule 2 which may be used by the bodies referred to therein without individual limit (article 2(5)); and
- (h) alter in schedule 3 the amount of resources other than accruing resources which the four directly-funded bodies referred to therein may use for the purposes specified (article 2(6)).

2003 No. 603

PUBLIC FINANCE AND ACCOUNTABILITY

**The Budget (Scotland) Act 2003 Amendment (No. 2)
Order 2003**

£2.00

© Crown Copyright 2003

Printed in the UK by The Stationery Office Limited
under the authority and superintendence of Carol Tullo, the Queen's Printer for Scotland
150 12/03 19593

