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SCOTTISH STATUTORY INSTRUMENTS

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**2004 No. 565**

**PUBLIC FINANCE AND ACCOUNTABILITY**

The Budget (Scotland) Act 2004  
Amendment (No. 2) Order 2004

Made - - - - 22nd December  
2004  
Coming into force - - 23rd December 2004

The Scottish Ministers, in exercise of the powers conferred by section 7(1) of the Budget (Scotland) Act 2004<sup>(1)</sup> 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 2004 Amendment (No. 2) Order 2004 and shall come into force on the day following that on which it is made.

**Amendment of the Budget (Scotland) Act 2004**

2.—(1) The Budget (Scotland) Act 2004 is amended in accordance with paragraphs (2) to (7) of this article.

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

- (a) in relation to the Scottish Administration, for “£21,591,916,000” substitute “£21,930,987,000”;
- (b) in relation to the Forestry Commissioners, for “£49,435,000” substitute “£52,435,000”;
- (c) in relation to the Food Standards Agency, for “£9,535,000” substitute “£8,380,000”;
- (d) in relation to the Scottish Parliamentary Corporate Body, for “£162,205,000” substitute “£175,694,000”; and
- (e) in relation to Audit Scotland, for “£6,720,000” substitute “£9,910,000”.

(3) In schedule 1—

- (a) in column 1 (purpose)—

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(1) 2004 asp 2. The Budget (Scotland) Act 2004 (asp 2) was amended by the Budget (Scotland) Act 2004 Amendment Order 2004 (S.I. 2004/290).

- (i) in relation to the second purpose after “regeneration initiatives;” insert “reclaiming our communities”;
- (ii) in relation to the fourth purpose–
  - (aa) after “piers and harbours;” insert “support for ferry services;”;
  - (bb) after “other expenditure relating to” insert “heavy and light”; and
  - (cc) after “the Scottish Bus Group;” insert “support for certain air services;” and
- (iii) in relation to the fifth purpose after “other health services;” insert “payments to the Skipton Fund”;
- (b) in column 2 (amount of resources other than accruing resources)–
  - (i) in relation to the first purpose for “£1,117,621,000” substitute “£1,060,138,000”;
  - (ii) in relation to the second purpose for “£1,222,274,000” substitute “£1,262,084,000”;
  - (iii) in relation to the third purpose for “£772,519,000” substitute “£784,325,000”;
  - (iv) in relation to the fourth purpose for “£3,910,264,000” substitute “£4,028,964,000”;
  - (v) in relation to the fifth purpose for “£6,656,134,000” substitute “£6,711,110,000”;
  - (vi) in relation to the sixth purpose for “£1,290,405,000” substitute “£1,365,058,000”;
  - (vii) in relation to the seventh purpose for “£234,102,000” substitute “£244,258,000”;
  - (viii) in relation to the eighth purpose for “£8,205,000” substitute “£8,848,000”;
  - (ix) in relation to the ninth purpose for “£8,258,000” substitute “£9,088,000”;
  - (x) in relation to the tenth purpose for “£8,247,457,000” substitute “£8,396,134,000”;
  - and
  - (xi) in relation to the eleventh purpose for “£89,151,000” substitute “£89,974,000”; and
- (c) in column 4 (amount of accruing resources)–
  - (i) in relation to the first purpose for “£60,709,000” substitute “£61,655,000”;
  - (ii) in relation to the third purpose for “£1,350,000” substitute “£57,000”; and
  - (iii) in relation to the eleventh purpose for “£205,000” substitute “£250,000”.
- (4) In schedule 2–
  - (a) in Part 2, after entry 9 insert–

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**“10. Recovery of unused regeneration Expenditure on regeneration”;**  
monies

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- (b) in Part 2, for the overall amount of “£15,000,000” substitute “£28,200,000”;
- (c) in Part 3, for the overall amount of “£18,820,000” substitute “£26,000,000”;
- (d) in Part 5, for the overall amount of “£1,515,394,000” substitute “£1,519,063,000”;
- (e) in Part 6, for the overall amount of “£25,413,000” substitute “£25,000,000”;
- (f) in Part 7, for the overall amount of “£13,422,000” substitute “£18,000,000”;
- (g) in Part 8, for the overall amount of “£2,940,000” substitute “£4,300,000”;
- (h) in Part 10, for the overall amount of “£1,031,110,000” substitute “£1,098,000,000”; and
- (i) in Part 11–
  - (i) in column 1 in respect of the type of accruing resources, insert after “miscellaneous income;” “profit on the sale of surplus assets”;
  - (ii) for the overall amount of “£210,000” substitute “£500,000”.

- (5) In schedule 3, in column 2 (amount of resources other than accruing resources)–
- (a) in relation to the first purpose, for “£75,104,000” substitute “£78,104,000”;
  - (b) in relation to the second purpose, for “£9,600,000” substitute “£8,445,000”;
  - (c) in relation to the third purpose, for “£185,763,000” substitute “£200,085,000”; and
  - (d) in relation to the fourth purpose, for “£7,105,000” substitute “£10,295,000”.
- (6) In schedule 4–
- (a) in Part 2 in relation to the overall amount for “£100” substitute “£3,000”;
  - (b) in Part 3 in relation to the overall amount for “£103,000” substitute “£250,000”; and
  - (c) in Part 4 in relation to the overall amount for “£15,903,000” substitute “£17,000,000”.
- (7) In schedule 5 in respect of the fourth body (Scottish Water) in relation to the amount of borrowing for “£241,900,000” substitute “£180,900,000”.

St Andrew’s House, Edinburgh  
22nd December 2004

*TOM McCABE*  
A member of the Scottish Executive

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order amends the Budget (Scotland) Act 2004 (“the 2004 Act”), which makes provision, for financial year 2004/05, 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 2004 Act was previously amended by the Budget (Scotland) Act 2004 Amendment Order 2004 (S.I.2004/290).

In particular, this Order further amends the 2004 Act so as to—

- (a) alter the overall cash authorisations in respect of all the bodies referred to in section of the 2004 Act (article 2(2));
- (b) restate the purposes for which resources may be used in accordance with section 1 of and schedule 1 to the 2004 Act (article (3)(a)(i) to (iii));
- (c) restate the amount of resources other than accruing resources that may be used for the 11 purposes set out in schedule to the 2004 Act (article 2(3)(b)(i) to (xi));
- (d) restate the amounts of accruing resources in schedule 1 to the 2004 Act in respect of the first, third and eleventh type of accruing resources (article 2(3)(c)(i) to (iii));
- (e) add a type of accruing resource and corresponding purpose in Part 2 of schedule 2 which may be used by the Scottish Executive Development Department (article 2(4)(a)) and add a new type of accruing resource in Part 11 of that schedule which may be used by the Crown and the Office of the Procurator Fiscal Service (article 2(4)(i)(i));
- (f) alter the overall amounts of accruing resources in Parts 2, 3, 5, 6, 7, 8, 10 and 11 which may be used by the bodies referred to therein without individual limit (article 2(4));
- (g) 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 (5));
- (h) alter in schedule 4 the amount of the accruing resources in respect of the Food Standards Agency, the Scottish Parliamentary Corporate Body and Audit Scotland which may be used without individual limit (article 2(6)(a) to (c));
- (i) alter in schedule 5 the amount of borrowing in respect of Scottish Water (article 2(7)).