
SCOTTISH STATUTORY INSTRUMENTS

2005 No. 164

PUBLIC FINANCE AND ACCOUNTABILITY

The Budget (Scotland) Act 2004 Amendment Order 2005

Made - - - - *15th March 2005*

Coming into force - - *16th March 2005*

The Scottish Ministers, in exercise of the powers conferred by section 7(1) of the Budget (Scotland) Act 2004⁽¹⁾ 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 Order 2005 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 “£21,930,987,000” substitute “£22,009,078,000;” and
- (b) in relation to the Forestry Commissioners, for “£52,435,000” substitute “£55,360,000”.

(3) In schedule 1—

(a) in column 1 (purpose)—

- (i) in relation to the second purpose after “regeneration initiatives;” insert “anti-social behaviour;”;
- (ii) in relation to the fourth purpose—
 - (aa) after “roads, bridges and” delete “certain”;
 - (bb) after “waterways; funding for” delete “most of the”;

(1) 2004 asp 2. The Budget (Scotland) Act 2004 (asp 2) was amended by the Budget (Scotland) Act 2004 Amendment Order 2004 (S.S.I. 2004/290) and the Budget (Scotland) Act 2004 Amendment (No. 2) Order 2004 (S.S.I. 2004/565).

- (cc) for “certain other transport services” substitute “other transport and transport related services”; and
- (dd) after “the Scottish Bus Group; support for” delete “certain”;
- (iii) for the words of the tenth purpose, substitute “For use by the Scottish Ministers (through the Scottish Executive Finance and Central Services Department) on running and capital costs of the Scottish Public Pensions Agency; revenue support grants and payment of non-domestic rates in Scotland; other local authority grants and special grants relating to council tax and spend-to-save scheme; other services including payments under the Bellwin scheme covering floods, storms and other emergencies; expenditure on committees, commissions and other departmental services; grants to the Civic Forum; expenditure in relation to modernising government and efficient government; international relations and development assistance; expenditure in relation to running costs of the Crown Office and Procurator Fiscal Service Inspectorate”; and
- (iv) after the eleventh purpose insert–
 - “12. For use by the Scottish Ministers (through the Scottish Public Pensions Agency) on pensions, allowances, gratuities etc. payable in respect of the Teachers' and National Health Service Pension Schemes”;
- (b) in column 2 (amount of resources other than accruing resources)–
 - (i) in relation to the first purpose for “£1,060,138,000” substitute “£1,024,853,000”;
 - (ii) in relation to the second purpose for “£1,262,084,000” substitute “£1,261,960,000”;
 - (iii) in relation to the third purpose for “£784,325,000” substitute “£786,805,000”;
 - (iv) in relation to the fourth purpose for “£4,028,964,000” substitute “£4,083,411,000”;
 - (v) in relation to the fifth purpose for “£6,711,110,000” substitute “£6,564,745,000”;
 - (vi) in relation to the sixth purpose for “£1,365,058,000” substitute “£1,379,969,000”;
 - (vii) in relation to the seventh purpose for “£244,258,000” substitute “£250,090,000”;
 - (viii) in relation to the eighth purpose for “£8,848,000” substitute “£8,950,000”;
 - (ix) in relation to the ninth purpose for “£9,088,000” substitute “£9,133,000”;
 - (x) in relation to the tenth purpose for “£8,396,134,000” substitute “£7,235,786,000”;
 - (xi) in relation to the eleventh purpose for “£89,974,000” substitute “£89,052,000”; and
 - (xii) in relation to the twelfth purpose insert “£1,211,923,000”; and
- (c) in column 4 (amount of accruing resources)–
 - (i) in relation to the first purpose for “£61,655,000” substitute “£61,249,000”;
 - (ii) in relation the third purpose for “£57,000” substitute “£340,000”;
 - (iii) in relation to the fifth purpose for “£12,100,000” substitute “£50,000,000”;
 - (iv) in relation to the sixth purpose, for “£2,761,000” substitute “£800,000”; and
 - (v) in relation to the seventh purpose for “£35,000” substitute “£50,000”.
- (4) In schedule 2–
 - (a) in Part 1, for the overall amount of “£25,126,000” substitute “£23,500,000”;
 - (b) in Part 2, after entry ten insert–

“11. Recovery of Development Grant Expenditure on housing and related issues”

- (c) in Part 2, for the overall amount of “£28,200,000” substitute “£60,000,000”;

- (d) in Part 3, for the overall amount of “£26,000,000” substitute “£28,000,000”;
- (e) in Part 4—
 - (i) in respect of item 1 of type of accruing resources, for the words “loans and grants” substitute “awards”;
 - (ii) delete item 2 of type of accruing resources and corresponding purpose;
 - (iii) delete item 4 of type of accruing resources and corresponding purpose; and
 - (iv) for the overall amount of “£222,787,000” substitute “£38,000,000”;
- (f) in Part 5, for the overall amount of “£1,519,063,000” substitute “£2,000,000,000”;
- (g) in Part 6—
 - (i) in respect of the second item of type of accruing resources after “chairman;” insert “receipts from fixed penalty notices”; and
 - (ii) for the overall amount of “£25,000,000” substitute “£35,000,000”;
- (h) in Part 7, for the overall amount of “£18,000,000,” substitute “£17,300,000”;
- (i) in Part 8—
 - (i) in respect of the first item of purpose, after “Records Enterprise” insert “(including Scottish Family History Research Service)”; and
 - (ii) for the overall amount of “£4,300,000” substitute “£4,500,000”;
- (j) in Part 9, for the overall amount of “£650,000” substitute “£700,000”; and
- (k) in Part 10—
 - (i) delete item 3 of type of accruing resources and corresponding purpose;
 - (ii) delete item 5 of type of accruing resources and corresponding purpose; and
 - (iii) for the overall amount of “£1,098,000,000” substitute “£500,000”; and
- (l) after Part 11, insert—

“PART 12

SCOTTISH TEACHERS' AND NHS PENSION SCHEMES

<i>Type of accruing resources</i>	<i>Purpose</i>
1. Contributions in respect of Teachers' and National Health Service Superannuation	Expenditure on Teachers' and National Health Service Superannuation
Overall amount: £1,653,000,000.”	

- (5) In schedule 3—
 - (a) in column 1 (amount of resources other than accruing resources) in relation to the third purpose, delete the words after “the Scottish Parliamentary Standards Commissioner,” and substitute “the Commissioner for Public Appointments in Scotland, the Scottish Public Services Ombudsman, the Scottish Information Commissioner and the Commissioner for Children and Young People in Scotland; any other payments relating to the Scottish Parliament”;
 - (b) in column 2 (amount of resources other than accruing resources)—
 - (i) in relation to the first purpose for “£78,104,000” substitute “£81,029,000”; and
 - (ii) in respect of the third purpose for “£200,085,000” substitute “£279,085,000”; and

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- (c) in column 4 (amount of accruing resources) in relation to the first purpose for “£500,000” substitute “£2,500,000”.
- (6) In schedule 4, in Part 3, in respect of the Scottish Parliamentary Corporate Body, for the overall amount of “£250,000” substitute “£670,000”.
- (7) In schedule 5 in respect of the fourth body (Scottish Water) in relation to the amount of borrowing for “£180,900,000” substitute “£151,100,000”.

St Andrew’s House, Edinburgh
15th March 2005

TOM McCABE
A member of the Scottish Executive

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 the 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 borrowing of certain public bodies. The 2004 Act was previously amended by the Budget (Scotland) Act 2004 Amendment Order 2004 (S.S.I. 2004/290) and the Budget (Scotland) Act 2004 Amendment (No. 2) Order 2004 (S.S.I. 2004/565).

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

- (a) alter the overall cash authorisations in respect of the Scottish administration and the Forestry Commissioners referred to in section 3 of the 2004 Act (Article 2(2));
- (b) restate certain of the purposes for which resources may be used in accordance with section 1 of and Schedule 1 to the 2004 Act and to insert a new twelfth purpose (Article 2(3)(a)(i) to (iv));
- (c) restate the amount of resources other than accruing resources that may be used for the eleven purposes set out in Schedule 1 to the 2004 Act and to state an amount in respect of the new twelfth purpose (Article 2(3)(b)(i) to (xii));
- (d) restate the amounts of accruing resources in Schedule 1 to the 2004 Act in respect of the first, third, fifth and seventh type of accruing resources (Article 2(3)(c)(i) to (iv));
- (e) add a type of accruing resource and corresponding purpose in Part II of Schedule 2 which may be used by the Scottish Executive Development Department (Article 2(4)(b)) and add a new type of accruing resource as Part 12 of that Schedule which may be used by the Scottish Teachers' and NHS Pension Schemes (Article 2(4)(l));
- (f) alter the overall amounts of accruing resources in Parts 1 to 11 of Schedule 2 to the Act and state an amount in respect of new Part 12 which may be used by the bodies referred to therein without individual limit (Article 2(4));
- (g) in Schedule 3 to the 2004 Act to add in as directly funded bodies the Commissioner for Public Appointments in Scotland and the Commissioner for Children and Young Persons in Scotland and alter the amount of resources other than accruing resources which the first and third categories of directly funded bodies referred to therein may use for the purposes specified (Article 2(5));
- (h) alter in Schedule 4 the amount of accruing resources in respect of the Scottish Parliamentary Corporate Body which may be used without individual limit (Article 2(6));
- (i) alter in Schedule 5 the amount of borrowing in respect of Scottish Water (Article 2(7)).