

**2008 No. 107**

**PUBLIC FINANCE AND ACCOUNTABILITY**

**The Budget (Scotland) Act 2007 Amendment Order 2008**

*Made* - - - - *4th March 2008*

*Coming into force in accordance with article 1*

The Scottish Ministers make the following Order in exercise of the powers conferred by section 7(1) of the Budget (Scotland) Act 2007(a) and all other powers enabling them to do so.

In accordance with section 7(2) of that Act, a draft of this Order has 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 2007 Amendment Order 2008 and comes into force on the day after the day on which it is made.

(2) In this Order, “the 2007 Act” means the Budget (Scotland) Act 2007.

**Amendment of section 3 of the 2007 Act**

2.—(1) Section 3 of the Budget (Scotland) Act 2007 is amended in accordance with paragraph (2).

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

- (a) in relation to the Scottish Administration, for “£26,639,917,000” substitute “£26,853,677,000”;
- (b) in relation to the Forestry Commissioners, for “£77,649,000” substitute “£74,649,000”;
- (c) in relation to the Food Standards Agency, for “£10,671,000” substitute “£10,196,000”;
- and
- (d) in relation to the Scottish Parliamentary Corporate Body, for “£82,872,000” substitute “£81,372,000”.

**Amendment of Schedule 1 to the 2007 Act**

3.—(1) Schedule 1 to the 2007 Act (the Scottish Administration) is amended in accordance with paragraphs (2) to (5).

(2) In column 1 (purpose)—

- (a) in relation to the third purpose, after “Enterprise in Education” insert “More Choices. More Chances; Skills Development; English for speakers of other languages;”;
- and
- (b) in relation to the tenth purpose, after “and other bodies and organisations;” insert “Tourism;”.

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(a) 2007 asp 9 as amended by S.S.I. 2007/551.

- (3) In column 2 (amount of resources other than accruing resources)–
- (a) in relation to the first purpose, for “£987,452,000” substitute “£1,026,166,000”;
  - (b) in relation to the second purpose, for “£9,931,474,000” substitute “£9,969,520,000”;
  - (c) in relation to the third purpose, for “£3,217,882,000” substitute “£3,194,772,000”;
  - (d) in relation to the sixth purpose, for “£1,680,470,000” substitute “£1,595,256,000”;
  - (e) in relation to the seventh purpose, for “£252,886,000” substitute “£262,479,000”;
  - (f) in relation to the eighth purpose, for “£12,599,000” substitute “£13,061,000”;
  - (g) in relation to the ninth purpose, for “£12,768,000” substitute “£11,768,000”;
  - (h) in relation to the tenth purpose, for “£11,580,893,000” substitute “£11,762,245,000”;
  - (i) in relation to the twelfth purpose, for “£100,579,000” substitute “£101,114,000”;
  - (j) in relation to the thirteenth purpose, for “£3,600,000” substitute “£3,030,000”; and
  - (k) in relation to the fourteenth purpose, for “£254,173,000” substitute “£257,120,000”.

(4) In column 3 (type of accruing resources), in relation to the tenth purpose for “Tay Bridge Joint Board” substitute “Tay Road Bridge Joint Board”; and insert at end “repayment of public dividend capital”.

- (5) In column 4 (amount of accruing resources)–
- (a) in relation to the second purpose, for “£15,000,000” substitute “£301,000,000”;
  - (b) in relation to the third purpose, for “£65,000,000” substitute “£70,000,000”;
  - (c) in relation to the tenth purpose, for “£6,000,000” substitute “£30,300,000”; and
  - (d) in relation to the twelfth purpose, for “£100” substitute “£500,000”.

#### **Amendment of Schedule 2 to the 2007 Act**

4.—(1) Schedule 2 to the 2007 Act (accruing resources of the Scottish Administration which may be used without individual limit) is amended in accordance with paragraphs (2) to (9).

(2) In Part 1 in column 1 at end of item 7 insert “Landfill Allowance penalties and contributions towards the Scottish Coastal Forum”.

(3) In Part 2 for the overall amount of “£1,626,800” substitute “£3,032,900,000”.

(4) In Part 3, for the overall amount of “£75,500,000” substitute “£85,800,000”.

(5) In Part 7, for the overall amount of “£14,800,000” substitute “£22,200,000”.

(6) In Part 8, for the overall amount of “£5,500,000” substitute “£5,200,000”.

(7) In Part 10 after item 13 with corresponding purpose, insert–

“

14. Income from EU Commission in respect of reclaim of administration costs for Intermediate Administration Bodies	Expenditure on the administration of Intermediate Administration Bodies
15. Income from repayment of public dividend capital	Expenditure on Finance and Sustainable Growth programmes

”.

(8) In Part 12, for the overall amount of “£275,000” substitute “£600,000”.

(9) In Part 13, for the overall amount of “£25,005,000” substitute “£28,500,000”.

#### **Amendment of Schedule 3 to the 2007 Act**

5. In column 2 (amount of resources other than accruing resources) of Schedule 3 to the 2007 Act (direct funded bodies)–

- (a) in relation to the first purpose, for “£101,402,000” substitute “£98,402,000”;

- (b) in relation to the second purpose, for “£10,771,000” substitute “£10,296,000”; and
- (c) in relation to the third purpose, for “£98,234,000” substitute “£96,734,000”.

**Amendment of Schedule 4 to the 2007 Act**

6. In Schedule 4 to the 2007 Act (accruing resources of direct-funded bodies which may be used without individual limit), in Part 1 for the overall amount of “£6,100,000” substitute “£4,100,000”.

**Amendment of Schedule 5 to the 2007 Act**

7. In Schedule 5 to the 2007 Act (borrowing by certain statutory bodies), in respect of the amount of borrowing in respect of Scottish Water in terms of section 42 of the Water Industry (Scotland) Act 2002, for “£230,800,000” substitute “£275,500,000”.

*JOHN SWINNEY*  
A member of the Scottish Executive

St Andrew's House,  
Edinburgh  
4th March 2008

## EXPLANATORY NOTE

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

This Order amends the Budget (Scotland) Act 2007 (“the 2007 Act”), which makes provision for the financial year 2007/08, 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 2007 Act was amended by the Budget (Scotland) Act 2007 Amendment Order 2007 (S.S.I. 2007/551).

In particular, this Order further amends the 2007 Act so as to—

- (a) alter the overall cash authorisations in respect of 4 of the 5 bodies referred to in section 3 of the 2007 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 2007 Act (article 3(2)(a) and (b));
- (c) restate the amount of resources other than accruing resources that may be used for certain of the purposes set out in Schedule 1 to the 2007 Act (article 3(3)(a) to (k));
- (d) restate and add a type of accruing resources in respect of the tenth purpose set out in Schedule 1 to the 2007 Act (article 3 (4));
- (e) restate the amount of accruing resources in Schedule 1 to the 2007 Act in respect of the second, third, tenth and twelfth type of accruing resources (article 3(5)(a) to (d));
- (f) add types of accruing resources in Parts 1 and 10 of Schedule 2 to the 2007 Act which may be used respectively by the Rural Affairs and the Environment Portfolio and the Finance and Sustainable Growth Portfolio (article 4(2) and (7));
- (g) alter the overall amounts of accruing resources in Parts 2, 3, 7, 8, 12 and 13 of Schedule 2 to the 2007 Act which may be used by the Portfolios referred to therein without individual limit (article 4(3) to (6), (8) and (9));
- (h) alter in Schedule 3 to the 2007 Act in relation to the first, second and third directly funded bodies referred to therein the overall amount of resources other than accruing resources and accruing resources which may be used for the purposes specified (article 5(a) to (c));
- (i) alter in Schedule 4 to the 2007 Act in Part 1 in respect of the Forestry Commissioners the overall amount of accruing resources that body may use without individual limit (article 6); and
- (j) alter in Schedule 5 to the 2007 Act in respect of Scottish Water the amount of borrowing allowed in terms of section 42 of the Water Industry (Scotland) Act 2002 (article 7).

£3.00

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