
EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Budget (Scotland) Act 2007 (“the 2007 Act”) and the Budget (Scotland) Act 2008 (“the 2008 Act”).

The 2007 Act was amended by the Budget (Scotland) Act 2007 Amendment Order 2007 and the Budget (Scotland) Act 2007 Amendment Order 2008. This Order further amends the 2007 Act so as to—

- (a) alter the overall cash authorisation in relation to the Scottish Administration in section 3 of the 2007 Act (article 2);
- (b) restate the amount of resources other than accruing resources that may be used for the second purpose set out in schedule 1 to the 2007 Act (article 3); and
- (c) alter the types of accruing resources which may be used by the Health and Wellbeing Portfolio by deleting “National Insurance contributions” in respect of item 10 in Part 2 of schedule 2 to the 2007 Act (article 4(2)(a)) (since National Insurance Contributions are to be treated as central funding and no longer as income against the Health and Wellbeing Portfolio’s expenditure); and alter the overall amount of accruing resources in Part 2 of schedule 2 to the 2007 Act (article 4(2)(b)).

The 2008 Act was amended by the Budget (Scotland) Act 2008 Amendment Order 2008 (S.S.I. 2008/424). This Order further amends the 2008 Act so as to—

- (a) alter the overall cash authorisation in relation to the first to fourth bodies referred to in section 3 of the 2008 Act (article 5(2));
- (b) restate the second, fourth and sixth purposes for which resources may be used in accordance with section 1 of and schedule 1 to the 2008 Act (article 6(2));
- (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 2008 Act (article 6(3));
- (d) restate the amount of accruing resources in schedule 1 to the 2008 Act in respect of the second, fifth and sixth purposes of accruing resources (article 6(4));
- (e) alter the overall amount of accruing resources in Parts 2–4, 6 and 7 of schedule 2 to the 2008 Act which may be used by Portfolios without individual limit (article 7(3)(d), (4)(b), (5)(d), (6) and (7));
- (f) alter the types of accruing resources in Parts 1–4 of schedule 2 to the 2008 Act which may be used (article 7(2), (3)(a)-(c), (4)(a), (5)(a) (c));
- (g) alter the amount of resources other than accruing resources of direct-funded bodies in schedule 3 to the 2008 Act in relation to the first to third purposes (article 8(2)), and alter the amount of accruing resources in relation to the first purpose (article 8(3));
- (h) alter the overall amount of accruing resources of direct-funded bodies in Part 3 of schedule 4 to the 2008 Act which may be used without individual limits (in relation to the Scottish Parliamentary Corporate Body) (article 9); and
- (i) in schedule 5 to the 2008 Act alter the amount of borrowing allowed in terms of section 42 of the Water Industry (Scotland) Act 2002 (article 10(2)); and add “Scottish Business Stream Holdings Ltd” in respect of borrowings in terms of section 14(3) of the Water Services etc (Scotland) Act 2005 (article 10(3)).