

**2010 No. 118**

**PUBLIC FINANCE AND ACCOUNTABILITY**

**The Budget (Scotland) Act 2009 Amendment Order 2010**

*Made* - - - - *16th March 2010*

*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 2009(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 2009 Amendment Order 2010 and comes into force on the day after the day on which it is made.

(2) In this Order, “the 2009 Act” means the Budget (Scotland) Act 2009.

**Amendment of section 3 of the 2009 Act**

2.—(1) Section 3 of the 2009 Act (overall cash authorisations) is amended in accordance with paragraph (2).

(2) In section 3—

- (a) in paragraph (a) (in relation to the Scottish Administration), for “£30,818,357,000” substitute “£30,894,997,000”;
- (b) in paragraph (b) (in relation to the Forestry Commissioners), for “£68,800,000” substitute “£66,950,000”;
- (c) in paragraph (c) (in relation to the Food Standards Agency), for “£10,900,000” substitute “£10,400,000”;
- (d) in paragraph (d) (in relation to the Scottish Parliamentary Corporate Body), for “£81,665,000” substitute “£81,765,000”; and
- (e) in paragraph (e) (in relation to Audit Scotland), for “£7,077,000” substitute “£7,327,000”.

**Amendment of schedule 1 to the 2009 Act**

3.—(1) Schedule 1 to the 2009 Act (the Scottish Administration) is amended in accordance with paragraphs (2) to (4).

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(a) 2009 asp 2; the Act was amended by S.S.I. 2009/434.

- (2) In column 1 (purpose)—
- (a) in the first purpose, for the words from “on support for” to “cultural development” substitute “on support for the arts, culture and creativity in Scotland, including the Gaelic language; cultural organisations; the creative industries”;
  - (b) in the second purpose, after “Scottish Water Business Stream Holdings Ltd;” insert “grants to the Water Industry Commission for Scotland;”;
  - (c) in the third purpose—
    - (i) omit “the Mental Health Tribunal for Scotland;”;
    - (ii) after “Energy Assistance Package;” insert “Home Insulation Scheme;”;
    - (iii) for the words from “sites for gypsies and travellers” to “and other services” substitute “grants to registered social landlords; loans to individuals”;
  - (d) in the fifth purpose, after “measures in relation to drug abuse and treatment;” insert “the Mental Health Tribunal;”;
  - (e) in the sixth purpose, omit “and Water Industry Commission for Scotland”.
- (3) In column 2 (amount of resources other than accruing resources)—
- (a) in relation to the first purpose, for “£263,911,000” substitute “£263,239,000”;
  - (b) in relation to the second purpose, for “£3,429,250,000” substitute “£3,368,417,000”;
  - (c) in relation to the third purpose, for “£12,415,505,000” substitute “£12,541,890,000”;
  - (d) in relation to the fourth purpose, for “£2,907,834,000” substitute “£2,925,207,000”;
  - (e) in relation to the fifth purpose, for “£1,806,588,000” substitute “£1,772,277,000”;
  - (f) in relation to the sixth purpose, for “£516,761,000” substitute “£481,982,000”;
  - (g) in relation to the seventh purpose, for “£274,023,000” substitute “£277,058,000”;
  - (h) in relation to the eighth purpose, for “£119,090,000” substitute “£119,490,000”;
  - (i) in relation to the ninth purpose, for “£10,367,549,000” substitute “£10,379,762,000”;
  - (j) in relation to the tenth purpose, for “£15,902,000” substitute “£14,667,000”;
  - (k) in relation to the eleventh purpose, for “£10,371,000” substitute “£10,571,000”;
  - (l) in relation to the twelfth purpose, for “£2,373,736,000” substitute “£2,406,792,000”; and
  - (m) in relation to the thirteenth purpose, for “£3,400,000” substitute “£3,100,000”.
- (4) In column 4 (amount of accruing resources)—
- (a) in relation to the second purpose, for “£32,900,000” substitute “£10,000,000”;
  - (b) in relation to the fourth purpose, for “£85,000,000” substitute “£90,000,000”;
  - (c) in relation to the sixth purpose, for “£300,000” substitute “£10,000,000”; and
  - (d) in relation to the eighth purpose, for “£100” substitute “£600,000”.

#### **Amendment of schedule 2 to the 2009 Act**

4.—(1) Schedule 2 to the 2009 Act (accruing resources of the Scottish Administration which may be used without individual limit) is amended in accordance with paragraphs (2) to (7).

(2) In Part 1 (First Minister’s portfolio), for the overall amount of “£30,000,000” substitute “£33,000,000”.

(3) In Part 2 (finance and sustainable growth portfolio)—

(a) after item 12 with corresponding purpose, insert—

“ 13. Interest on Scottish Water post Devolution voted loans	Expenditure on Scottish Water
14. Interest on ferry vessel loans on post Devolution voted loans	Expenditure on ferry services in Scotland ”; and

(b) for the overall amount of “£224,000,000” substitute “£200,000,000”.

(4) In Part 3 (health and wellbeing portfolio)—

(a) in column 1, in item 4 omit “from local authorities”;

(b) in column 1, in item 5 omit “from local authorities”; and

(c) for the overall amount of “£3,000,000,000” substitute “£1,200,000,000”.

(5) In Part 4 (education and lifelong learning portfolio), for the overall amount of “£74,000,000” substitute “£143,000,000”.

(6) In Part 6 (rural affairs and the environment portfolio)—

(a) after item 6 with corresponding purpose, insert—

“ 7. Interest on Crofters Commission post Devolution voted loans	Expenditure on rural services ”; and
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(b) for the overall amount of “£560,000,000” substitute “£660,000,000”.

(7) In Part 7 (Scottish Executive (administration))—

(a) in column 1, in item 1, at the end insert “; payment from Scottish Parliament for Ministerial pay increase”; and

(b) for the overall amount of “£27,700,000” substitute “£33,600,000”.

#### **Amendment of schedule 3 to the 2009 Act**

5.—(1) Schedule 3 to the 2009 Act (direct-funded bodies) is amended in accordance with paragraph (2).

(2) In column 2 (amount of resources other than accruing resources)—

(a) in relation to the first purpose, for “£85,200,000” substitute “£83,350,000”; and

(b) in relation to the second purpose, for “£11,000,000” substitute “£10,500,000”.

*JOHN SWINNEY*  
A member of the Scottish Executive

St Andrew’s House,  
Edinburgh  
16th March 2010

## EXPLANATORY NOTE

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

This Order amends the Budget (Scotland) Act 2009 (“the 2009 Act”).

This Order amends the 2009 Act so as to—

- (a) alter the overall cash authorisations in relation to the Scottish Administration, the Forestry Commissioners, the Food Standards Agency, the Scottish Parliamentary Corporate Body and Audit Scotland in section 3 of the 2009 Act (article 2);
- (b) alter the first, second, third and sixth purposes for which resources may be used in accordance with section 1 of and schedule 1 to the 2009 Act (article 3(2));
- (c) alter the amount of resources other than accruing resources that may be used for certain of the purposes set out in schedule 1 to the 2009 Act (article 3(3));
- (d) alter the amount of accruing resources set out in schedule 1 to the 2009 Act in respect of the second, fourth, sixth and eighth purposes of accruing resources (article 3(4));
- (e) alter the overall amount of accruing resources in Parts 1 to 4, 6 and 7 of schedule 2 to the 2009 Act which may be used by portfolios without individual limit (article 4(2), (3)(b), (4)(c), (5), (6)(b) and (7)(b));
- (f) alter the types of accruing resources in Parts 2, 3, 6 and 7 of schedule 2 to the 2009 Act which may be used (article 4(3)(a), (4)(a) and (b), (6)(a) and (7)(a)); and
- (g) alter the amount of resources other than accruing resources of direct-funded bodies in schedule 3 to the 2009 Act in relation to the first and second purposes (article 5(2)).

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