



2001 CHAPTER 6

Supply

Application of sums issued

5.—(1) Where a Budget Act authorises a sum to be—

- (a) issued out of the Consolidated Fund, and
- (b) applied to the service of a specified year,

every sum issued in pursuance of the Act shall be applied towards the service of that year.

(2) Section 8(1) of the Exchequer and Financial Provisions Act (Northern Ireland) 1950 (c. 3) (issues from Consolidated Fund) shall cease to have effect.

Use of resources

6.—(1) The use of resources by—

- (a) a Northern Ireland department, and
- (b) any relevant body or person,

for any purpose in any financial year must be authorised for that year by Budget Act or under section 8 and must not exceed any amount so authorised in relation to that purpose.

(2) Subsection (1) does not apply to the use of resources for services which are under any statutory provision payable out of—

- (a) the Consolidated Fund;
- (b) the Northern Ireland National Insurance Fund; or
- (c) any other fund established under a statutory provision.

(3) Subsection (1) is subject to section 7.

(4) A body or person is a relevant body or person for the purposes of this section and section 8 if an estimate is approved by the Assembly for that body or person in respect of each financial year.

Use of resources without Budget Act

7.—(1) If a Budget Act is not passed at least three working days before the end of a financial year (“year 1”) authorising the use of resources mentioned in section 6(1) for the service of the next financial year (“year 2”), the authorised officer of the Department may, subject to any Budget Act subsequently passed, authorise the use of resources for the service of year 2 for such purposes and up to such amounts as he may direct.

(2) The aggregate of the amounts authorised under subsection (1) for the service of year 2 shall not exceed 75 per cent of the total amount of resources authorised by Budget Act for the service of year 1.

(3) If a Budget Act is not passed before the end of July in any financial year authorising the use of resources mentioned in section 6(1) for the service of the year, the authorised officer of the Department may, subject to any Budget Act subsequently passed, authorise the use of resources for the service of the year for such purposes and up to such amounts as he may direct.

(4) The aggregate of the amounts authorised under subsection (3) and (where applicable) the amounts authorised under subsection (1) for the service of any financial year shall not exceed 95 per cent of the total amount of resources authorised by Budget Act for the service of the preceding financial year.

(5) In this section “authorised officer”, in relation to the Department, means the Permanent Secretary or such other officer as may be nominated by him for the purpose.

Use of accruing resources

8.—(1) The Department may, subject to any relevant limit set by a Budget Act, direct that resources accruing to a department or a relevant body or person (“accruing resources”) may be used for any purpose in any financial year in addition to resources authorised by Budget Act to be used for that purpose in that year.

(2) A direction under subsection (1) shall be—

- (a) made by minute, and
- (b) laid before the Assembly.

(3) Subsections (4) and (5) apply where money is received in connection with a use of accruing resources which has been or is expected to be directed under subsection (1).

(4) Where the money is received in the year for the service of which the use of accruing resources is authorised—

- (a) the money may be used in accordance with the Department's direction, and
- (b) in so far as not so used, it shall be paid into the Consolidated Fund.

(5) Where the money is received in a year other than that for the service of which the use of accruing resources is or is to be authorised, it shall be—

- (a) retained and applied as a use of resources authorised by Budget Act for the service of the year in which the money is received, or
- (b) paid into the Consolidated Fund.

(6) Section 8(2) and (3) of the Exchequer and Financial Provisions Act (Northern Ireland) 1950 (c. 3) (appropriation in aid) shall cease to have effect.