

### SCHEDULE 3

Article 2

## THE LOTHIAN AND BORDERS COMBINED POLICE AREA AMALGAMATION (AMENDMENT) SCHEME 2002

### Citation and commencement

1. This scheme may be cited as the Lothian and Borders Combined Police Area Amalgamation (Amendment) Scheme 2002 and shall come into operation on 31st March 2002.

### Amendment of the Lothian and Borders Combined Police Area Amalgamation Scheme 1995

2. The Lothian and Borders Combined Police Area Amalgamation Scheme 1995 is amended as follows:—

- (a) in paragraph 5(3) omit “3 yearly”;
- (b) in paragraph 6(3) at the beginning insert “Subject to sub-paragraph (4) below,”;
- (c) in paragraph 7(2) for “next 3 yearly appointment of members of the board” substitute “next appointment of members of the board in terms of paragraph 5(3) of this scheme”; and
- (d) in paragraph 12—

- (i) in sub-paragraph (1) for “The expenditure of the board” substitute “The expenditure which the board estimates will be incurred”; and

- (ii) after sub-paragraph (1) insert—

- “(1A) Subject to sub-paragraph (1B) below, the board may carry-forward from one financial year (the “carry-forward year”) to the next any money it receives from the constituent authorities under sub-paragraph (1) above which remains unspent at the end of the carry-forward year.

- (1B) Any money carried forward under sub-paragraph (1A) above—

- (a) in respect of the carry-forward year, shall not exceed three per cent. of the total of the money paid to the board by the constituent authorities in respect of the carry-forward year; and

- (b) in the case mentioned in sub-paragraph (1C) below, shall be carried forward only with the consent of the Scottish Ministers.

- (1C) The case referred to in sub-paragraph (1B) above is where—

- (a) any money carried forward from previous carry-forward years—

- (i) under sub-paragraph (1A) above; and

- (ii) under section 32(10A) of the Act,

- and remaining unspent at the end of the carry-forward year;

- (b) the money carried forward under sub-paragraph (1A) above; and

- (c) any money carried forward under section 32(10A) of the Act,

- would, taken together, amount to more than the maximum sum mentioned in sub-paragraph (1D) below.

- (1D) The maximum sum referred to in sub-paragraph (1C) above, in relation to a carry-forward year, means the amount equal to five per cent. of the sum of—

- (a) the total amount of grant made under section 32 of the Act to the board in respect of that year; and

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- (b) the total amount of money paid to the board by the constituent authorities in respect of that year.”.