



# Police and Fire Services (Finance) (Scotland) Act 2001

2001 asp 15

## *Combined fire brigade carry-forward*

### **2 Carry-forward of unspent combined fire brigade funds**

In section 36 of the Fire Services Act 1947 (c. 41) (application of the Act to Scotland)

- (a) in subsection (4), for paragraph (e) there is substituted—
- “(e) the payment by the fire authorities into the aforesaid fund, for the purpose set out in subsection (4A) below, of contributions in such proportions as may be determined by or under the scheme;
  - (f) arrangements for the carry-forward from one financial year (the “carry-forward year”) to the next by the joint board of any money paid by way of contributions by the fire authorities in respect of the carry-forward year under provision made under paragraph (e) above and remaining unspent at the end of the carry-forward year.”;
- (b) after subsection (4) there is inserted—
- “(4A) The purpose referred to in subsection (4)(e) above is that of meeting the expenses which the joint board estimates will be incurred by it in the administration of the combined fire brigade.
- (4B) Provision made under subsection (4)(f) above shall secure—
- (a) that the money carried forward by the joint board shall not exceed three per cent. of the total of the contributions paid into the fund by the fire authorities in respect of the carry-forward year; and
  - (b) that, in the case mentioned in subsection (4C) below, money shall be carried forward only with the consent of the Scottish Ministers.
- (4C) The case is where—

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*Status: This is the original version (as it was originally enacted).*

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- (a) any money carried forward from previous carry-forward years by virtue of arrangements such as are mentioned in subsection (4)(f) above and remaining unspent at the end of the carry-forward year; and
  - (b) the money carried forward,would, taken together, amount to more than the maximum sum.
- (4D) In subsection (4C) above, “maximum sum”, in relation to a carry-forward year, means the amount equal to five per cent. of the total amount of the contributions paid into the fund by the fire authorities in respect of that year.
- (4E) The Scottish Ministers may, by order, substitute for the percentage mentioned in—
  - (a) subsection (4B)(a) above; or
  - (b) subsection (4D) above,such other percentage as they think fit.
- (4F) An order under subsection (4E) above shall be made by statutory instrument which shall be subject to annulment in pursuance of a resolution of the Scottish Parliament.
- (4G) Paragraphs (e) and (f) of subsection (4) above are not to be taken as preventing the carrying forward of any money, being money already carried forward to a financial year under arrangements made under subsection (4)(f) above and remaining unspent at the end of that year, from that year to the next year and, if it remains unspent at the end of that next year, to the following year, and so on.”;
- (c) in subsection (7), after “above” there is inserted “or an administration scheme made under section 147(4) of the Local Government (Scotland) Act 1973 (c. 65)”; and
- (d) in subsection (8), in paragraph (a), after “scheme” there is inserted “made under this section or an administration scheme made under section 147(4) of the Local Government (Scotland) Act 1973 (c. 65)”.