Budget (Scotland) Act 2008

2008 asp 2

PART 1

FINANCIAL YEAR 2008/09

The Scottish Consolidated Fund

3 Overall cash authorisations

For the purposes of section 4(2) of the 2000 Act, the overall cash authorisations for financial year 2008/09 are—

(a) in relation to the Scottish Administration, **[**[F1]£28,736,588,000,**]**

(b) in relation to the Forestry Commissioners, **[**[F2]£72,535,000,**]**

(c) in relation to the Food Standards Agency, **[**[F3]£10,400,000,**]**

(d) in relation to the Scottish Parliamentary Corporate Body, **[**[F4]£75,389,000,**]**

(e) in relation to Audit Scotland, **[**[F5]£9,113,000.**]**

Textual Amendments

F1 Word in s. 3(a) substituted (20.3.2009) by Budget (Scotland) Acts 2007 and 2008 Amendment Order 2009 (S.S.I. 2009/120), arts. 1(1), **5(2)(a)**

F2 Word in s. 3(b) substituted (20.3.2009) by Budget (Scotland) Acts 2007 and 2008 Amendment Order 2009 (S.S.I. 2009/120), arts. 1(1), **5(2)(b)**

F3 Word in s. 3(c) substituted (20.3.2009) by Budget (Scotland) Acts 2007 and 2008 Amendment Order 2009 (S.S.I. 2009/120), arts. 1(1), **5(2)(c)**

F4 Word in s. 3(d) substituted (20.3.2009) by Budget (Scotland) Acts 2007 and 2008 Amendment Order 2009 (S.S.I. 2009/120), arts. 1(1), **5(2)(d)**

F5 Word in s. 3 substituted (18.12.2008) by Budget (Scotland) Act 2008 Amendment Order 2008 (S.S.I. 2008/424), arts. 1(1), **2(2)(b)**

4 Contingencies: payments out of the Fund

(1) This section applies where, in financial year 2008/09, it is proposed to pay out of the Scottish Consolidated Fund under section 65(1)(c) of the Scotland Act 1998 (c. 46),

for or in connection with expenditure of the Scottish Administration or a direct-funded body, a sum which does not fall within the overall cash authorisation specified in section 3 in relation to the Scottish Administration or, as the case may be, that body.

(2) The sum may be paid out of the Fund only if its payment is authorised by the Scottish Ministers.

(3) The Scottish Ministers may authorise payment only if they consider that—

(a) the payment is necessarily required in the public interest to meet urgent expenditure for a purpose falling within section 65(2) of the Scotland Act 1998 (c. 46), and

(b) it is not reasonably practicable, for reasons of urgency, to amend the overall cash authorisation by an order under section 7 of this Act.

(4) But the Scottish Ministers must not authorise payment of the sum if it would result in an excess of sums paid out of the Fund over sums paid into the Fund.

(5) The aggregate amount of the sums which the Scottish Ministers may authorise to be paid out of the Fund under this section must not exceed £50,000,000.

(6) Where the Scottish Ministers authorise a payment under this section they must, as soon as possible, lay before the Scottish Parliament a report setting out the circumstances of the authorisation and why they considered it to be necessary.

Changes to legislation:
There are currently no known outstanding effects for the Budget (Scotland) Act 2008, Cross Heading: The Scottish Consolidated Fund.