

## 2002 No. 542

### PUBLIC FINANCE AND ACCOUNTABILITY

#### The Budget (Scotland) Act 2002 Amendment Order 2002

*Made*

*28th November 2002*

*Coming into force*

*29th November 2002*

The Scottish Ministers, in exercise of the powers conferred by section 7(1) of the Budget (Scotland) Act 2002(a) and of all other powers enabling them in that behalf, hereby make the following Order, a draft of which has, in accordance with section 7(2) of that Act, been laid before, and approved by resolution of, the Scottish Parliament:

#### **Citation and commencement**

1. This Order may be cited as the Budget (Scotland) Act 2002 (Amendment Order 2002 and shall come into force on the day following that on which it is made.

#### **Amendment of the Budget (Scotland) Act 2002**

2.—(1) The Budget (Scotland) Act 2002 is amended in accordance with articles 2(2) to (6) of this Order.

(2) In section 5(1) (capital expenditure of, and borrowing by, certain statutory bodies) for “£631,600,000” substitute “£659,600,000”.

(3) In schedule 1—

(a) in column 1 (purpose)—

- (i) in relation to the second purpose, after “debt” insert “and any associated costs”; and
- (ii) in relation to the tenth purpose at the end insert “; expenditure in relation to Modernising Government”;

(b) in column 2 (amount of resources other than accruing resources)—

- (i) in relation to the first purpose for “£1,037,860,000” substitute “£888,861,000”;
- (ii) in relation to the second purpose for “£1,696,217,000” substitute “£2,851,680,000”;
- (iii) in relation to the third purpose for “£577,961,000” substitute “£632,580,000”;
- (iv) in relation to the fourth purpose for “£2,092,241,000” substitute “£2162,132,000”;
- (v) in relation to the fifth purpose for “£5986,619,000” substitute “£6,214,953,000”;
- (vi) in relation to the sixth purpose for “£1,090,121,000” substitute “£1,141,031,000”;
- (vii) in relation to the seventh purpose for “£218,547,000” substitute “£232,203,000”;
- (viii) in relation to the eighth purpose for “£8,704,000” substitute “£9,821,000”;
- (ix) in relation to the ninth purpose for “£9,052,000” substitute “£10,852,000”;
- (x) in relation to the tenth purpose for “£6,574,739,000” substitute “£6,737,277,000”; and
- (xi) in relation to the eleventh purpose for “£61,593,000” substitute “£79,756,000”; and

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(a) 2002 asp7.

- (c) in column 4 (amount of accruing resources)–
- (i) in relation to the sixth type of accruing resources for “£1,366,000” substitute “£366,000”;
  - (ii) in relation to the seventh type of accruing resources for “£63,000” substitute “£2,363,000”;
  - (iii) in relation to the eighth type of accruing resources insert “£300,000”; and
  - (iv) in relation to the ninth type of accruing resources delete “£37,000”.
- (4) In schedule 2–
- (a) in Part 2, in column 2, in relation to the sixth type, for “Expenditure of Communities Scotland” substitute “Related Housing Expenditure”;
  - (b) in Part 2, after the sixth type insert–
- |   |   |                        |    |
|---|---|------------------------|----|
| “ | 7. Income from local authorities in respect of right to buy sales | Expenditure on housing | ”; |
|---|---|------------------------|----|
- (c) in Part 2, for the Overall amount of “£40,000,000” substitute “£5,000,000”;
  - (d) in Part 3 for the Overall amount of “£19,150,000” substitute “£20,046,000”;
  - (e) in Part 4 for the Overall amount of “£92,000,000” substitute “£78,498,000”;
  - (f) in Part 5 for the Overall amount of “£800,000,000” substitute “£997,468,000”;
  - (g) in Part 6 for the Overall amount of “£26,180,000” substitute “£24,964,000”;
  - (h) in Part 7 for the Overall amount of “£15,000,000” substitute “£13,915,000”;
  - (i) in Part 8 for the Overall amount of “£5,300,000” substitute “£2,715,000”;
  - (j) in Part 9 for the Overall amount of “£900,000” substitute “£ 827,000”;
  - (k) in Part 10 for the Overall amount of “£561,420,000” substitute “£633,420,000”; and
  - (l) in Part 11 for the Overall amount of “£700,000” substitute “£175,000”.
- (5) In schedule 3–
- (a) in column 2 (amount of resources other than accruing resources)–
    - (i) in relation to the first purpose for “£85,607,000” substitute “£95,007,000”;
    - (ii) in relation to the second purpose for “£5,505,000” substitute “£5,598,000”;
    - (iii) in relation to the third purpose for “£144,336,000” substitute “£205,985,000”; and
    - (iv) in relation to the fourth purpose for “£5,899,000” substitute “£6,468,000”; and
  - (b) in column 4 (amount of accruing resources) in respect of the fourth type of accruing resources for “£100” substitute “£50,000,000”.
- (6) In schedule 4–
- (a) in Part 1, for the Overall amount of “£100” substitute “£5,000,000”;
  - (b) in Part 3, for the Overall amount of “£100” substitute “£200”; and
  - (c) in Part 4, for the Overall amount of “£15,500,000” substitute “£14,052,000”.

*ANDREW P KERR*  
A member of the Scottish Executive

St Andrew’s House,  
Edinburgh  
28th November 2002

## EXPLANATORY NOTE

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

This Order amends the Budget (Scotland) Act 2002 (“the 2002 Act”), which makes provision, for financial year 2002/03, for the use of resources by the Scottish Administration and certain bodies whose expenditure is payable out of the Scottish Consolidated Fund, for authorising the use of resources, and for limits on the capital expenditure of and borrowing of local authorities and certain other public bodies. In particular, the Order amends that Act so as to—

- (1) alter the maximum amount for the purposes of section 94(5) of the Local Government (Scotland) Act 1973 (c.65) (which provides for limits on the amount of capital expenses which may be incurred by local authorities in any financial year) (article 2(2));
- (2) restate the purposes for which resources may be used in accordance with section 1 and schedule 1 to the 2002 Act, with the following changes (articles 2(3)(a) (i) and (ii)):
  - (a) to enable resources to be used by the Scottish Ministers through the Scottish Executive Environment and Rural Affairs Department (formerly the Scottish Executive Rural Affairs Department) on repayment of debt and any associated costs; and
  - (b) to enable resources to be used by the Scottish Ministers (through the new Scottish Executive Finance and Central Services Department) on expenditure in relation to Modernising Government;
- (3) restate the amounts of resources other than accruing resources that may be used for the 11 purposes set out in schedule 1 (article 2(3)(b)(i) to (xi));
- (4) restate the amounts of accruing resources in schedule 1 in respect of the sixth, seventh, eighth and ninth type of accruing resources (article 2(3)(c)(i) to (iv));
- (5) restate the purpose for which the sixth type of accruing resources in Part 2 of schedule 2 may be used by the Scottish Ministers through the Scottish Executive Development Department without limit, namely on Related Housing Expenditure rather than on Communities Scotland (article 2(4)(a));
- (6) add in Part 2 of schedule 2 a seventh type of accruing resource with corresponding purpose which the Scottish Ministers through the Scottish Executive Development Department may use without limit (article 2(4)(b));
- (7) alter the overall amount of accruing resources in Parts 2 to 11 of schedule 2 which may be used by the bodies referred to therein without individual limit (article 2(4)(c) to (l));
- (8) alter in schedule 3 the amount of resources other than accruing resources which the four directly-funded bodies referred to therein may be used for the purposes specified (article 2(5)(a));
- (9) alter in schedule 3 the amount of accruing resources of Audit Scotland from income from sale of IT equipment (article 2(5)(b)); and
- (10) alter in respect of Parts 1, 3 and 4 of schedule 4 the overall amounts of accruing resources (article 2(6)).

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