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SCOTTISH STATUTORY INSTRUMENTS

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**2006 No. 162**

**PUBLIC FINANCE AND ACCOUNTABILITY**

**The Budget (Scotland) Act 2005  
Amendment (No. 2) Order 2006**

*Made* - - - - - *16th March 2006*  
*Coming into force* - - - - - *17th March 2006*

The Scottish Ministers, in exercise of the powers conferred by section 7(1) of the Budget (Scotland) Act 2005<sup>(1)</sup>, 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 2005 Amendment (No. 2) Order 2006 and shall come into force on the day following that on which it is made.

**Amendment of the Budget (Scotland) Act 2005**

2.—(1) The Budget (Scotland) Act 2005 is amended in accordance with paragraph (2) to (6) of this article.

(2) In section 3 (overall cash authorisations)—

- (a) in relation to the Scottish Administration, for “£23,341,744,000” substitute “£23,259,082,000”;
- (b) in relation to the Forestry Commissioners, for “£57,433,000” substitute “£58,275,000”;
- (c) in relation to the Food Standards Agency, for “£11,342,000” substitute “£11,017,000”;
- (d) in relation to the Scottish Parliamentary Corporate Body, for “£103,942,000” substitute “£103,602,000”.

(3) In Schedule 1—

(a) in column 1 (purpose)—

- (i) in relation to the first purpose after “Water and Sewerage Charges Reduction scheme” insert “and the Water Industry Commission”;

- (ii) in relation to the second purpose for “travelling people” substitute “gypsies and travellers”;
  - (iii) in relation to the fifth purpose after “Mental Health Tribunal” insert “for Scotland”;
  - (iv) in relation to the tenth purpose after “efficient government,” insert “data sharing and standards;”; and
  - (v) in relation to the twelfth purpose after “costs, including” insert “the Queen’s and Lord Treasurer’s Remembrancer”.
- (b) in column 2 (amount of resources other than accruing resources)–
- (i) in relation to the first purpose for “£1,166,119,000” substitute “£1,283,202,000”;
  - (ii) in relation to the second purpose for “£1,238,321,000” substitute “£1,228,166,000”;
  - (iii) in relation to the third purpose for “£905,796,000” substitute “£879,308,000”;
  - (iv) in relation to the fourth purpose for “£4,277,093,000” substitute “£4,210,825,000”;
  - (v) in relation to the fifth purpose for “£7,447,965,000” substitute “£7,452,453,000”;
  - (vi) in relation to the sixth purpose for “£1,500,786,000” substitute “£1,513,694,000”;
  - (vii) in relation to the seventh purpose for “£247,348,000” substitute “£261,859,000”;
  - (viii) in relation to the eighth purpose for “£8,589,000” substitute “£8,871,000”;
  - (ix) in relation to the ninth purpose for “£10,310,000” substitute “£9,089,000”;
  - (x) in relation to the tenth purpose for “£7,521,790,000” substitute “£7,561,701,000”;
  - (xi) in relation to the eleventh purpose for “£1,748,421,000” substitute “£1,776,542,000”; and
  - (xii) in relation to the twelfth purpose for “£93,292,000” substitute “£92,422,000”;
- (c) in column 4 (accruing resources)–
- (i) in relation to the first purpose for “£66,484,000” substitute “£28,602,000”;
  - (ii) in relation to the second purpose for “£100” substitute “£7,700,000”; and
  - (iii) in relation to the third purpose for “£330,000” substitute “£335,000”;
  - (iv) in relation to the fourth purpose for “£48,236,000” substitute “£51,666,000”;
  - (v) in relation to the fifth purpose for “£12,100,000” substitute “£42,100,000”; and
  - (vi) in relation to the sixth purpose for “£2,730,000” substitute “£2,000,000”.
- (4) In Schedule 2–
- (a) in Part 1, for the overall amount of “£21,661,000” substitute “£23,564,000”;
  - (b) in Part 2–
    - (i) as regards item 2, for “on housing” substitute “by Communities Scotland” ;
    - (ii) in respect of item 9, for “Receipts” substitute “Communities Scotland receipts” and for “on housing” substitute “by Communities Scotland”; and
    - (iii) for the overall amount of “£55,000,000” substitute “£60,000,000”;
  - (c) in Part 3, for the overall amount of “£30,000,000” substitute “£38,000,000”;
  - (d) in Part 4–
    - (i) after entry 6 insert–

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“7. Sums accruing from Enterprise Expenditure on Enterprise and Lifelong and Lifelong Learning related activities Learning related activities”; and

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- (ii) for the overall amount of “£49,002,000” substitute £42,425,000”;
  - (e) in Part 6, for the overall amount of “£40,000,000” substitute “£48,000,000”;
  - (f) in Part 7, for the overall amount of “£16,000,000” substitute “£16,500,000”;
  - (g) in Part 8, for the overall amount of “£5,000,000” substitute “£5,200,000”;
  - (h) in Part 10, for the overall amount of “£100,000” substitute “£50,000”; and
  - (i) in Part 11, for the overall amount of “£1,180,068,000” substitute “£1,500,000,000”.
- (5) In schedule 3, in column 2 (amount of resources other than accruing resources)–
- (i) in respect of the first purpose, for “£74,486,000” substitute “£76,828,000”;
  - (ii) as regards the second purpose, for “£11,407,000” substitute “£11,082,000”; and
  - (iii) as regards the third purpose, for “£97,311,000” substitute “£96,971,000”.
- (6) In schedule 4, in Part 3 in relation to the overall amount for “£795,000” substitute “£1,500,000”.
- (7) In schedule 5, in column 2 (Amount) – in respect of the fourth purpose, for “£221,900,000” substitute “£222,123,000”.

St Andrew’s House, Edinburgh  
16th March 2006

*TOM McCABE*  
A member of the Scottish Executive

## EXPLANATORY NOTE

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

This Order amends the Budget (Scotland) Act 2005 (“the 2005 Act”), which makes provision, for the financial year 2005/06, 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, this order further amends the 2005 Act so as to—

- (a) alter the overall cash authorisations in respect of the first four bodies referred to in section 3 of the 2005 Act (article 2(2));
- (b) restate the purposes for which resources may be used in accordance with section 1 of and schedule 1 to the 2005 Act (article 2(3)(a));
- (c) restate the overall amount of resources other than accruing resources that may be used for the 12 purposes set out in schedule 1 to the 2005 Act (article 2(3)(b)(i) to (xii));
- (d) restate the overall amounts of accruing resources in schedule 1 to the 2005 Act in respect of the first to sixth type of accruing resources (article 2(3)(c)(i) to (vi));
- (e) add a type of accruing resource and corresponding purpose in Part 4 of schedule 2 which may be used by the Scottish Executive Enterprise, Transport and Lifelong Learning Department (article 2(4)(d)(i));
- (f) alter the overall amounts of accruing resources in Parts 1, 4, 6 to 8, 10 and 11 which may be used by the bodies referred to therein without individual limit (article 2(4));
- (g) alter in schedule 3 the overall amount of resources other than accruing resources which the first three directly funded bodies referred to therein may use for the purposes specified (article 2(5));
- (h) alter in schedule 4 the overall amount of the accruing resources in respect of the Scottish Parliamentary Corporate Body which may be used without individual limit (article 2(6); and
- (i) alter in schedule 5, in column 2 (Amount) the borrowing amount in respect of Scottish Water.