

2006 No. 56

PUBLIC FINANCE AND ACCOUNTABILITY

The Budget (Scotland) Act 2005 Amendment Order 2006

Made - - - - *8th February 2006*

Coming into force - - *9th February 2006*

The Scottish Ministers, in exercise of the powers conferred by section 7(1) of the Budget (Scotland) Act 2005(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 2005 Amendment 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 “£23,274,951,000” substitute “£23,341,744,000”;
- (b) in relation to the Forestry Commissioners, for “£57,713,000” substitute “£57,433,000”;
- (c) in relation to the Food Standards Agency, for “£9,706,000” substitute “£11,342,000”;
- (d) in relation to the Scottish Parliamentary Corporate Body, for “£103,602,000” substitute “£103,942,000”; and
- (e) in relation to Audit Scotland, for “£5,980,000” substitute “£8,096,000”.

(3) In Schedule 1—

- (a) in column 1 (purpose—
 - (i) in relation to the fourth purpose after “the Scottish Further Education Funding Council” insert “the Scottish Further and Higher Education Funding Council”;
 - (ii) in relation to the fifth purpose after “Drugs Challenge Fund”; insert “Mental Health Tribunal”;
 - (iii) in relation to the sixth purpose—
 - (aa) after “to anti social behaviour” insert “measures in relation to drug abuse and treatment”; and
 - (bb) after “with legal proceedings” insert “; Police Loan Charges”;

(a) 2005 asp 4.

- (iv) in relation to the tenth purpose, after “Civic Forum; expenditure” insert “and grant assistance”; and
 - (v) in relation to the twelfth purpose, after “witness expenses,” insert “victim expenses where applicable”;
- (b) in column 2 (amount of resources other than accruing resources)–
- (i) in relation to the first purpose for “£1,193,987,000” substitute “£1,166,119,000”;
 - (ii) in relation to the second purpose for “£1,240,774,000” substitute “£1,238,321,000”;
 - (iii) in relation to the third purpose for “£930,523,000” substitute “£905,796,000”;
 - (iv) in relation to the fourth purpose for “£4,303,983,000” substitute “£4,277,093,000”;
 - (v) in relation to the fifth purpose for “£7,404,992,000” substitute “£7,447,965,000”;
 - (vi) in relation to the sixth purpose for “£1,365,884,000” substitute “£1,500,786,000”;
 - (vii) in relation to the seventh purpose for “£240,291,000” substitute “£247,348,000”;
 - (viii) in relation to the eighth purpose for “£8,379,000” substitute “£8,589,000”;
 - (ix) in relation to the ninth purpose for “£10,390,000” substitute “£10,310,000”;
 - (x) in relation to the tenth purpose for “£7,591,071,000” substitute “£7,521,790,000”;
 - (xi) in relation to the eleventh purpose for “£1,241,805,000” substitute “£1,748,421,000”; and
 - (xii) in relation to the twelfth purpose for “£92,575,000” substitute “£93,292,000”;
- (c) in column 4 (accruing resources)–
- (i) in relation to the first purpose for “£66,084,000” substitute “£66,484,000”;
 - (ii) in relation to the third purpose for “£1,350,000” substitute “£330,000”; and
 - (iii) in relation to the twelfth purpose for “£450,000” substitute “£200,000”.
- (4) In Schedule 2–
- (a) in Part 1, for the overall amount of “£22,256,000” substitute “£21,661,000”;
 - (b) in Part 2, for the overall amount of “£100” substitute “£55,000,000”;
 - (c) in Part 3, for the overall amount of “£18,820,000” substitute “£30,000,000”;
 - (d) in Part 4–
 - (i) after entry 5 insert–

6. Electricity Statutory Consent fees	Expenditure on the administration of consent for the provision of energy
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 ”; and
 - (ii) for the overall amount of “£68,338,000” substitute “£49,002,000”;
 - (e) in Part 5, for the overall amount of “£1,521,032,000” substitute “£2,000,000,000”;
 - (f) in Part 6–
 - (i) in respect of item 5 for the word “defence” substitute “contingencies”;
 - (ii) after item 9 insert–

10. Income from criminal record checks carried out by Disclosure Scotland	Expenditure on police services
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 ”; and
 - (iii) for the overall amount of “£25,137,000” substitute “£40,000,000”;
 - (g) in Part 7, for the overall amount of “£13,422,000” substitute “£16,000,000”;
 - (h) in Part 8, for the overall amount of “£2,940,000” substitute “£5,000,000”;

- (i) in Part 9, for the overall amount of “£800,000” substitute “£900,000”;
 - (j) in Part 10, for the overall amount of “£85,000” substitute “£100,000”;
 - (k) in Part 11, for the overall amount of “£1,156,172,000” substitute “£1,180,068,000”; and
 - (l) in Part 12, for the overall amount of “£250,000” substitute “£300,000”.
- (5) In schedule 3–
- (a) in column 1 in respect of purpose 3, after the words “the Commissioner for Children and Young People in Scotland;” insert “and the Commissioner for Public Appointments in Scotland;”;
 - (b) in column 2 (amount of resources other than accruing resources)–
 - (i) in respect of the first purpose, for “£81,551,000” substitute “£74,486,000”;
 - (ii) as regards the second purpose, for “£9,771,000” substitute “£11,407,000”;
 - (iii) as regards the third purpose, for “£96,971,000” substitute “£97,311,000”; and
 - (iv) as regards the fourth purpose, for “£6,525,000” substitute “£8,141,000”; and
 - (c) in column 4 in respect of the fourth purpose for “£100” substitute “£5,000”.
- (6) In schedule 4–
- (a) in Part 3 in relation to the overall amount for “£170,000” substitute “£795,000”; and
 - (b) in Part 4 in relation to the overall amount for “£18,009,000” substitute “£20,000,000”.

TOM McCABE
A member of the Scottish Executive

St Andrew’s House,
Edinburgh
8th February 2006

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 all 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)(i) to (v));
- (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, third and twelfth type of accruing resources (article 2(3)(c)(i) to (iii));
- (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)) and add a new type of accruing resource and corresponding purpose in Part 6 of that schedule which may be used by the Scottish Executive Justice Department (article 2(4)(f)(ii));
- (f) alter the overall amounts of accruing resources in Parts 1 to 12 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 four directly funded bodies referred to therein may use for the purposes specified and alter the amount of accruing resources in respect of Audit Scotland (article 2(5)(b) and (c)); and
- (h) alter in schedule 4 the overall amount of the accruing resources in respect of the Scottish Parliamentary Corporate Body and Audit Scotland which may be used without individual limit (article 2(6)(a) and (b)).

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