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SCOTTISH STATUTORY INSTRUMENTS

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**2016 No. 377**

**PUBLIC FINANCE AND ACCOUNTABILITY**

**The Budget (Scotland) Act 2016 Amendment Regulations 2016**

*Made* - - - - 21st November 2016  
22nd November  
*Coming into force* - - 2016

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 7(1) of the Budget (Scotland) Act 2016(1) and all other powers enabling them to do so.

In accordance with section 7(2) of that Act a draft of these Regulations has been laid before and approved by resolution of the Scottish Parliament.

**Citation, commencement and interpretation**

1.—(1) These Regulations may be cited as the Budget (Scotland) Act 2016 Amendment Regulations 2016 and come into force on the day after the day on which they are made.

(2) In these Regulations “the Act” means the Budget (Scotland) Act 2016.

**Amendment of amounts specified in section 4 (overall cash authorisations)**

2. In section 4 of the Act, for the amount specified—

- (a) in subsection (2) (the Scottish Administration), substitute “£33,496,742,000”; and
- (b) in subsection (3)(a) (the Forestry Commissioners), substitute “£60,973,000”.

**Amendment of schedule 1 (the Scottish Administration)**

3.—(1) The table in schedule 1 of the Act is amended in accordance with paragraphs (2) to (4).

(2) In column 1 (purposes)—

- (a) in relation to purpose 1—
  - (i) for “Europe” substitute “Tourism”; and
  - (ii) after “and organisations;” insert “tourism;”;
- (b) in relation to purpose 2—
  - (i) for “Finance, Constitution and Economy” substitute “Finance and the Constitution”;

- (ii) omit from “digital” to “sundry enterprise-related activities;”;
  - (iii) omit from “expenditure in relation to” to “Statistician;”;
  - (iv) omit “the Accountant in Bankruptcy;”;
  - (v) at the end insert “; funding to support delivery of local government elections; support for the running costs of Scottish Futures Trust Limited”;
- (c) for purpose 3 substitute “Through their Health and Sport portfolio, for use by the Scottish Ministers on: hospital and community health services; family health services, including local GP practices, pharmacy, dental and ophthalmic services; community care; mental health services; capital investment; health and social care integration; health research; eHealth; other health services; the Scottish Independent Living Fund; the Mental Welfare Commission; the Care Inspectorate; sportscotland; physical activity.”;
- (d) in relation to purpose 4—
  - (i) for “Lifelong Learning” substitute “Skills”; and
  - (ii) at the end insert “; grant in aid for Skills Development Scotland; funding activities for young people to develop skills in connection with training and work; the provision of Education Maintenance Allowances”;
- (e) in relation to purpose 6—
  - (i) for “Rural Affairs, Food and Environment” substitute “Environment, Climate Change and Land Reform”;
  - (ii) omit from “market support,” to “agricultural education;”;
  - (iii) for “research, compliance” substitute “research and compliance”;
  - (iv) omit from “and management” to “fisheries sector;”;
  - (v) omit from “rural affairs” to “crofting environment;”;
  - (vi) at the end insert “; loans to Scottish Water and Scottish Water Business Stream Holdings Limited; water grants, including to the Water Industry Commission for Scotland”;
- (f) in relation to purpose 7—
  - (i) for “Infrastructure, Investment and Cities” substitute “Rural Economy and Connectivity”;
  - (ii) after “Scottish Ministers on:” insert “market support, including grants in relation to agriculture; support for agriculture in special areas, including grants for rural development; rural development generally; agri-environmental and farm woodland measures; compensation to sheep producers; animal health; agricultural education; core marine functions involving scientific research, compliance, policy and management of Scotland’s seas, representing Scotland’s interests in relation to common fisheries policy, international fisheries negotiation and aquaculture and freshwater policy, administration of all marine consents required for depositing substances at sea, coastal protection and offshore renewables, grants and other assistance to the Scottish fisheries sector; rural affairs; support for crofting communities, including the crofting environment;”;
  - (iii) omit “support for the running costs of Scottish Futures Trust Limited;”;
  - (iv) after “public inquiries;” insert “digital and broadband technology; grant in aid for Highlands and Islands Enterprise;”;
  - (v) omit from “loans to Scottish Water” to the end;
- (g) in relation to purpose 8—

- (i) for “Social Justice, Communities and Pensioners’ Rights” substitute “Communities, Social Security and Equalities”; and
  - (ii) omit “; funding to support delivery of local government elections”; and
  - (h) for purpose 9 substitute “Through their Economy, Jobs and Fair Work portfolio, for use by the Scottish Ministers on: grant in aid for Scottish Enterprise; expenditure on committees, commissions and other portfolio services; industry and technology grants; energy-related activities; central government grants to local authorities; sundry enterprise-related activities; expenditure in relation to the running costs of the Office of the Chief Economic Adviser and the Office of the Chief Statistician; the Accountant in Bankruptcy; European Structural Fund grants to the Enterprise Networks, local authorities, further and higher education institutions, third sector bodies and other eligible bodies and organisations; costs of delivery and evaluation of European Structural Fund.”.
- (3) In column 2 (amount of resources (other than accruing resources)), for the amount specified—
- (a) in relation to purpose 1, substitute “257,408,000”;
  - (b) in relation to purpose 2, substitute “98,215,000”;
  - (c) in relation to purpose 3, substitute “13,041,463,000”;
  - (d) in relation to purpose 4, substitute “3,122,663,000”;
  - (e) in relation to purpose 5, substitute “2,396,546,000”;
  - (f) in relation to purpose 6, substitute “215,720,000”;
  - (g) in relation to purpose 7, substitute “2,780,250,000”;
  - (h) in relation to purpose 8, substitute “11,027,012,000”;
  - (i) in relation to purpose 9, substitute “340,754,000”;
  - (j) in relation to purpose 11, substitute “193,192,000”;
  - (k) in relation to purpose 13, substitute “113,450,000”;
  - (l) in relation to purpose 14, substitute “102,007,000”; and
  - (m) in the final row, in relation to the total amounts of resources, substitute “**37,044,491,000**”.
- (4) In column 3 (amount of accruing resources), for the amount specified—
- (a) in relation to purpose 2, substitute “20,000,000”;
  - (b) in relation to purpose 6, substitute “500,000,000”;
  - (c) in relation to purpose 7, substitute “800,000,000”;
  - (d) in relation to purpose 8, substitute “80,000,000”;
  - (e) in relation to purpose 9, substitute “40,000,000”;
  - (f) in relation to purpose 14, substitute “45,000,000”; and
  - (g) in the final row, in relation to the total amounts of resources, substitute “**6,023,600,000**”.

#### **Amendment of schedule 2 (direct-funded bodies)**

- 4.—(1) The table in schedule 2 of the Act is amended in accordance with paragraph (2).
- (2) In column 2 (amount of resources other than accruing resources), for the amount specified in relation to purpose 1, substitute “61,073,000”.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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St Andrew's House,  
Edinburgh  
21st November 2016

*DEREK MACKAY*  
A member of the Scottish Government

## EXPLANATORY NOTE

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

These Regulations amend the Budget (Scotland) Act 2016 (“the Act”).

Regulation 2 amends the overall cash authorisations specified in section 4(2) and (3)(a) of the Act in relation to the Scottish Administration and the Forestry Commissioners.

Regulation 3(2) amends purposes 1 to 4 and 6 to 9 in schedule 1 of the Act.

Regulation 3(3) amends the amount of resources (other than accruing resources) that may be used for purposes 1 to 9, 11, 13 and 14 in schedule 1 of the Act. It also amends the total amount of those resources for all the purposes in that schedule.

Regulation 3(4) amends the amount of accruing resources that may be used for purposes 2, 6 to 9, and 14 in schedule 1 of the Act. It also amends the total amount of those resources for all the purposes in that schedule.

Regulation 4 amends the amount of resources other than accruing resources that may be used by the Forestry Commissioners for certain purposes in schedule 2 of the Act.

The Regulations reflect the reallocation of resources between Scottish Government portfolios following the First Minister’s announcement of the new portfolio structure on 18th May 2016. The main changes relate to the creation of the Rural Economy and Connectivity, Environment, Climate Change and Land Reform and Economy, Jobs and Fair Work portfolios.