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SCOTTISH STATUTORY INSTRUMENTS

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**2011 No. 434**

**PUBLIC FINANCE AND ACCOUNTABILITY**

**The Budget (Scotland) Act 2011 Amendment Order 2011**

*Made - - - - 6th December 2011*

*Coming into force in accordance with article 1(1)*

The Scottish Ministers make the following Order in exercise of the powers conferred by section 7(1) of the Budget (Scotland) Act 2011<sup>(1)</sup> and all other powers enabling them to do so.

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

**Citation, commencement and interpretation**

1.—(1) This Order may be cited as the Budget (Scotland) Act 2011 Amendment Order 2011 and comes into force on the day after the day on which it is made.

(2) In this Order, “the 2011 Act” means the Budget (Scotland) Act 2011.

**Amendment of section 3 of the 2011 Act**

2. In section 3 (overall cash authorisations) of the 2011 Act—

- (a) in paragraph (a) (Scottish Administration), for “£30,179,474,000” substitute “£30,704,780,000”;
- (b) in paragraph (b) (Forestry Commissioners), for “£71,400,000” substitute “£65,900,000”;  
and
- (c) in paragraph (e) (Audit Scotland), for “£6,525,000” substitute “£7,470,000”.

**Amendment of schedule 1 to the 2011 Act**

3.—(1) Schedule 1 (the Scottish Administration) to the 2011 Act is amended in accordance with paragraphs (2) to (5).

(2) In column 1 (purposes) of the table—

- (a) in purpose 1—

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(1) 2011 asp 4.

(2) Section 7(2) has been modified by paragraph 5 of schedule 3 to the [Interpretation and Legislative Reform \(Scotland\) Act 2010](#) (asp 10).

- (i) for “(through the First Minister’s portfolio)” substitute “(through their Culture and External Affairs portfolio)”;
- (ii) omit “, including the Gaelic language”; and
- (iii) omit the words from “; expenditure on corporate and central services” to the end;
- (b) in purpose 2—
  - (i) for “(through their Finance and Sustainable Growth portfolio)” substitute “(through their Finance, Employment and Sustainable Growth portfolio)”;
  - (ii) omit the words from “; support for the running costs of Scottish Futures Trust Limited” to “water grants, including to the Water Industry Commission for Scotland”;
  - (iii) for “Regional Selective Assistance, including Innovation and Investment grants” substitute “industry and technology grants”;
  - (iv) omit the words from “; telecommunications infrastructure” to “costs of delivery and evaluation of European Structural Fund”; and
  - (v) at the end, insert “; the Accountant in Bankruptcy”;
- (c) in purpose 3, omit the words from “; housing subsidies and guarantees” to “Vacant and Derelict Land Fund”;
- (d) in purpose 4—
  - (i) after “educational research, development and promotion” insert “; Gaelic language”; and
  - (ii) for the words from “; funding of the Additional Support Needs Tribunals” to “Social Work Inspection Agency” substitute “; funding of Education Scotland, HM Inspectors of Education, Social Work Inspection Agency, Disclosure Scotland and Additional Support Needs Tribunals for Scotland”;
- (e) in purpose 5, omit “; the Accountant in Bankruptcy”; and
- (f) in purpose 6, after “climate change activities” insert “, including the Land Managers’ Renewables Fund”.
- (3) In column 2 (amount of resources other than accruing resources) of the table—
  - (a) in relation to purpose 1, for “241,869,000” substitute “209,134,000”;
  - (b) in relation to purpose 2, for “2,216,943,000” substitute “432,095,000”;
  - (c) in relation to purpose 3, for “12,286,920,000” substitute “11,709,223,000”;
  - (d) in relation to purpose 4, for “2,584,170,000” substitute “2,640,330,000”;
  - (e) in relation to purpose 5, for “1,734,952,000” substitute “1,726,482,000”;
  - (f) in relation to purpose 6, for “462,426,000” substitute “484,648,000”;
  - (g) in relation to purpose 9, for “10,482,132,000” substitute “10,544,803,000”; and
  - (h) in relation to purpose 12, for “3,230,367,000” substitute “2,982,549,000”.
- (4) In column 3 (amount of accruing resources) of the table—
  - (a) in relation to purpose 2, for “186,000,000” substitute “10,000,000”; and
  - (b) in relation to purpose 4, for “174,000,000” substitute “177,000,000”.
- (5) In the table—
  - (a) after purpose 6 and the corresponding entries in columns 2 and 3 insert—

<p>“6A. For use by the Scottish Ministers (through their Infrastructure and Capital Investment portfolio) on: support for the running costs of Scottish Futures Trust Limited; support for passenger rail services, rail infrastructure and associated rail services; support for the development and delivery of concessionary travel schemes; funding for major public transport projects; the running costs of Transport Scotland; funding for the Strategic Transport Projects Programme; funding for travel information services; the maintenance and enhancement of the trunk road infrastructure; support for ferry services, loans and grants relating to vessel construction, grants for pier and other infrastructure and funding for a pilot of a road equivalent tariff; support for Highlands and Islands Airports Limited; support for air services and funding for the Air Discount Scheme; support for the bus industry; support for the Forth Estuary Transport Authority and Tay Road Bridge Joint Board; support for the freight industry; support for British Waterways Scotland; funding to promote sustainable and active travel; contributing to the running costs of Regional Transport Partnerships and other bodies associated with the transport sector; funding for road safety; costs in relation to funding the office of the Scottish Road Works Commissioner; loans to Scottish Water and Scottish Water Business Stream Holdings Limited; water grants, including to the Water Industry Commission for Scotland; housing subsidies and guarantees; Scottish Housing Regulator running costs; Energy Assistance Package; Home Insulation Schemes; repayment of debt and any associated costs; other expenditure, contributions and grants relating to housing; activities relating to homelessness; research and publicity and other portfolio services; grants to registered social landlords; loans to individuals; community engagement; regeneration programmes; grants for Vacant and Derelict Land Fund; telecommunications infrastructure; 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</p>	2,592,788,000	210,000,000”
(b) after purpose 7 and the corresponding entries in columns 2 and 3 insert—		
<p>“7A. For use by Scottish Ministers (through their Parliamentary Business and Strategy portfolio) on: expenditure on corporate and central services; expenditure in relation to the running costs of Her Majesty’s Chief Inspector of Prosecution in Scotland;</p>	7,948,000	Nil”

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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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Protocol and UK relations; international relations and development assistance		
(c) for purposes 10 and 11 and the corresponding entries in columns 2 and 3 substitute—		
“9A. For use by the Scottish Ministers, the Registrar General of Births, Deaths and Marriages for Scotland and the Keeper of the Records of Scotland (through the National Records of Scotland) on: administrative and operational costs (including costs associated with running the Scotlands People Centre)	27,900,000	8,300,000”
(d) for columns 1 to 3 of the final row substitute—		
“ <b>Total of amounts of resources</b>	<b>33,785,247,000</b>	<b>4,853,700,000”</b>

#### **Amendment of schedule 2 to the 2011 Act**

**4.** In schedule 2 (direct-funded bodies) to the 2011 Act, in column 2 (amount of resources other than accruing resources)—

- (a) in relation to purpose 1, for “71,500,000” substitute “66,000,000”; and
- (b) in relation to purpose 4, for “7,070,000” substitute “8,015,000”.

St Andrew’s House, Edinburgh  
6th December 2011

*JOHN SWINNEY*  
A member of the Scottish Executive

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## EXPLANATORY NOTE

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

This Order amends the Budget (Scotland) Act 2011 (“the Act”) so as to—

- (a) alter the overall cash authorisations in relation to the Scottish Administration, the Forestry Commissioners and Audit Scotland in section 3 of the Act (article 2);
- (b) alter purposes 1 to 6 for which resources may be used in accordance with section 1 of, and schedule 1 to, the Act, add new purposes 6A and 7A and merge purposes 10 and 11 into a combined purpose 9A (articles 3(2) and (5));
- (c) alter the amount of resources other than accruing resources that may be used for purposes 1 to 6, 9 and 12 set out in schedule 1 to the Act and the total of amount of resources for all of the purposes (article 3(3) and (5));
- (d) alter the amount of accruing resources that may be used for purposes 2 and 4 set out in schedule 1 to the Act and the total of amount of resources for all of the purposes (article 3(4) and (5)); and
- (e) alter the amount of resources other than accruing resources of direct-funded bodies in schedule 2 to the Act in relation to purposes 1 and 4 (article 4).

The total amount of resources (other than accruing resources) allocated to the Scottish Administration for the financial year 2011/12 is increased by £90,221,000. The corresponding figure for accruing resources is increased by £37,300,000. Other changes to the purposes and amounts allocated within the Scottish Administration reflect changes in the Ministerial portfolios.

The main changes made as a result of changes to the Ministerial portfolios are that responsibility for the use of resources previously falling to the First Minister’s portfolio moves to the Culture and External Affairs portfolio, and responsibility for the use of some resources previously falling to the Finance and Sustainable Growth and Health and Wellbeing portfolios moves to a new Infrastructure and Capital Investment portfolio.