

Draft Regulations laid before the Scottish Parliament under section 7(2) of the Budget (Scotland) Act 2021 for approval by resolution of the Scottish Parliament.

DRAFT SCOTTISH STATUTORY INSTRUMENTS

2021 No.

PUBLIC FINANCE AND ACCOUNTABILITY

The Budget (Scotland) Act 2021 Amendment Regulations 2021

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|--------------------------|---------|-------------|
| <i>Made</i> | - - - - | <i>2021</i> |
| <i>Coming into force</i> | - - | <i>2021</i> |

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 7(1) of the Budget (Scotland) Act 2021⁽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 2021 Amendment Regulations 2021 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 2021.

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

2. In section 4 of the Act—

- (a) for the amount specified in subsection (2) (Scottish Administration), substitute “£48,937,907,000”,
- (b) for the amount specified in subsection (3)(a) (Scottish Parliamentary Corporate Body), substitute “£110,595,000”.

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, for “Sport” substitute “Social Care”,
- (b) in relation to purpose 2—

- (i) for “Communities” substitute “Social Justice, Housing”,
 - (ii) after “emergencies;” insert “funding to support research and the development and design of local taxation and local government governance;”,
 - (iii) omit “planning; architecture;”,
 - (iv) after “individuals;” insert “contributions and grants relating to regeneration; community-led regeneration;”,
 - (v) omit “regeneration programmes;”,
 - (vi) after “inequality” insert “with a particular focus on child poverty”,
 - (vii) omit “expenditure and grant assistance in relation to public service reform and efficiency;”,
 - (viii) after “advocacy services” insert “; funding to support the development, design and implementation of social security powers; funding for Social Security Scotland; funding for the Scottish Commission on Social Security; funding of payments of social security assistance; funding to tackle poverty; grant assistance; funding of strategic contracts; expenditure relating to equality and human rights issues including grants to organisations; expenditure relating to tackling hate crime; expenditure relating to supporting people who are destitute, including refugees and asylum seekers; expenditure relating to community support, resilience and engagement”,
- (c) in relation to purpose 3—
- (i) after “Finance” insert “and the Economy”,
 - (ii) for “and Green Growth Accelerator programmes” substitute “programme; regeneration programmes; planning; grant in aid for Scottish Enterprise; industry and technology grants; sundry enterprise-related activities; expenditure in relation to the running costs of the Office of the Chief Economic Adviser; the Enterprise and Skills Analytical Unit; grant in aid for the Scottish National Investment Bank; 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; funding for employment support programmes, learning opportunities, workforce development and supporting fair work principles; consumer policy related spend; funding for City and Regional Growth Deals; support for Ferguson Marine; Visit Scotland; tourism; digital and broadband connectivity; grant in aid for Highlands and Islands Enterprise; South of Scotland Enterprise”,
- (d) in relation to purpose 5—
- (i) after “Justice” in the first place where it occurs, insert “and Veterans”,
 - (ii) omit “Scottish Resilience;”,
 - (iii) after “administration of justice;” insert “veterans;”,
- (e) in relation to purpose 6—
- (i) for “Transport, Infrastructure and Connectivity” substitute “Net Zero, Energy and Transport”,
 - (ii) omit “digital and broadband connectivity;”,
 - (iii) omit “funding for City and Regional Growth Deals; funding for National Islands Plan related initiatives; support for Ferguson Marine;”,

- (iv) after “central government grants to local authorities” insert “; advisory, research and development services; spend on waste prevention and management; costs relating to the United Kingdom’s withdrawal from the European Union; botanical and scientific services; assistance to production, marketing and processing; administration, land management and other agricultural services; natural heritage; environment protection; other environmental expenditure; flood prevention; coastal protection; air quality monitoring; climate change activities, including the Land Managers’ Renewables Fund; Environmental Standards Scotland; the Scottish Land Commission; water grants, including to the Water Industry Commission for Scotland and funding for the Drinking Water Quality Regulator for Scotland; loans to Scottish Water and Scottish Water Business Stream Holdings Limited; Scottish Forestry; Forestry and Land Scotland; the promotion of forestry and land management, including advising on the development and delivery of forestry policy; regulating the forestry sector and supporting it through grants; managing the national forest estate; Green Growth Accelerator programmes”;
- (f) omit purpose 7,
- (g) in relation to purpose 8—
 - (i) for “Economy and Tourism” substitute “Affairs and Islands”;
 - (ii) for the words from “grant in aid” to the end substitute “funding for National Islands Plan related initiatives; 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 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 and sponsorship of Crown Estate Scotland.”;
- (h) in relation to purpose 9—
 - (i) for “Economy, Fair Work” substitute “Constitution, External Affairs”;
 - (ii) omit from “grant in aid” to “consumer policy related spend;”;
 - (iii) after “other bodies and organisations” insert “; architecture; funding to support Royal and ceremonial activity; international and European relations; protecting Scotland’s place in Europe; development assistance”;
- (i) omit purpose 10,
- (j) in relation to purpose 11—
 - (i) for “Constitution, Europe and External Affairs” substitute “Deputy First Minister and Covid Recovery”;
 - (ii) after “administrative costs;” insert “running costs of Scottish Resilience, including supporting community resilience projects;”;
 - (iii) for “the Local Government Boundary Commission for” substitute “Boundaries”;
 - (iv) omit “funding to support Royal and ceremonial activity;”;
 - (v) for “international relations; protecting Scotland’s place in Europe; development assistance” substitute “expenditure and grant assistance in relation to public service reform and efficiency”.
- (3) In column 2 (amount of resources other than accruing resources)—
 - (a) omit the amounts specified in relation to purposes 7 and 10,
 - (b) for the amount specified—

- (i) in relation to purpose 1, substitute “17,720,696,000”,
- (ii) in relation to purpose 2, substitute “16,252,838,000”,
- (iii) in relation to purpose 3, substitute “2,128,813,000”,
- (iv) in relation to purpose 4, substitute “4,921,353,000”,
- (v) in relation to purpose 5, substitute “2,837,754,000”,
- (vi) in relation to purpose 6, substitute “4,556,676,000”,
- (vii) in relation to purpose 8, substitute “1,016,269,000”,
- (viii) in relation to purpose 9, substitute “293,475,000”,
- (ix) in relation to purpose 11, substitute “64,744,000”,
- (x) in relation to purpose 12, substitute “161,700,000”,
- (xi) in relation to purpose 13, substitute “64,351,000”,
- (xii) in relation to purpose 16, substitute “167,281,000”,
- (xiii) in relation to purpose 20, substitute “6,121,000,000”,
- (xiv) in relation to purpose 21, substitute “15,388,000”,
- (xv) in the final row, in relation to the total amount of resources, substitute “56,359,633,000”.

(4) In column 3 (amount of accruing resources)—

- (a) omit the amounts specified in relation to purposes 7 and 10,
- (b) for the amount specified—

- (i) in relation to purpose 1, substitute “3,000,000,000”,
- (ii) in relation to purpose 2, substitute “90,000,000”,
- (iii) in relation to purpose 3, substitute “400,000,000”,
- (iv) in relation to purpose 6, substitute “600,000,000”,
- (v) in relation to purpose 8, substitute “300,000,000”,
- (vi) in relation to purpose 9, substitute “200,000,000”,
- (vii) in relation to purpose 20, substitute “3,100,000,000”,
- (viii) in the final row, in relation to the total amount of resources, substitute “8,239,500,000”.

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 “124,472,000”.

St Andrew’s House,
Edinburgh
Date

A member of the Scottish Government

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Budget (Scotland) Act 2021 (“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 Scottish Parliamentary Corporate Body.

Regulation 3(2) amends purposes 1 to 3, 5, 6, 8, 9 and 11, and omits purposes 7 and 10, in schedule 1 of the Act, for which the Scottish Ministers may use resources in the financial year 2021/22.

Regulation 3(3) amends the amounts of resources other than accruing resources that may be used for purposes 1 to 6, 8, 9, 11, 12, 13, 16, 20 and 21 in schedule 1 of the Act, and omits the amounts of such resources that may be used for purposes 7 and 10. It also amends the total of amounts of resources for all the purposes in that schedule.

Regulation 3(4) amends the amount of accruing resources that may be used for purposes 1 to 3, 6, 8, 9 and 20 in schedule 1 of the Act, and omits the amounts of such resources that may be used for purposes 7 and 10. It also amends the total of amounts of accruing resources for all the purposes in that schedule.

Regulation 4 amends the amounts of resources other than accruing resources that may be used for purpose 1 in schedule 2 of the Act.

These Regulations reflect the reallocation of resources between Scottish Government portfolios following the First Minister’s announcement of a new portfolio structure on 19 May 2021. The main changes relate to the creation of the new portfolios for Finance and Economy, Social Justice, Housing and Local Government, Net Zero, Energy and Transport, Constitution, External Affairs and Culture, and Deputy First Minister and Covid Recovery.