



# Budget (Scotland) Act 2009

## 2009 asp 2

**The Bill for this Act of the Scottish Parliament was passed by the Parliament on 4th February 2009 and received Royal Assent on 10 March 2009**

An Act of the Scottish Parliament to make provision, for financial year 2009/10, 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 payment of sums out of the Fund and for the maximum amounts of borrowing by certain statutory bodies; to make provision, for financial year 2010/11, for authorising the payment of sums out of the Fund on a temporary basis; and for connected purposes.

### PART 1

#### FINANCIAL YEAR 2009/10

#### *Use of resources*

#### **1 The Scottish Administration**

- (1) Resources other than accruing resources may, in financial year 2009/10, be used by the Scottish Administration for the purposes specified in column 1 of schedule 1—
  - (a) so far as the use of resources consists of incurring liability in respect of recoverable VAT, without limit as to amount, and
  - (b) in any other case, up to the amounts specified in the corresponding entries in column 2.
- (2) Accruing resources of the types specified in column 3 of schedule 1 may, in financial year 2009/10, be used by the Scottish Administration for the purposes specified in the corresponding entries in column 1 up to the amounts specified in column 4.
- (3) Accruing resources in respect of recoverable VAT may, in financial year 2009/10, be used, without limit as to amount, by the Scottish Administration for any purpose for which resources are authorised to be used by virtue of subsection (1).
- (4) Accruing resources of the types specified in column 1 of each Part of schedule 2 may, in financial year 2009/10, be used by the Scottish Administration for the purposes specified in the corresponding entries in column 2 up to the overall amount specified at the end of that Part.

---

*Changes to legislation: There are currently no known outstanding effects for the Budget (Scotland) Act 2009. (See end of Document for details)*

---

- (5) Accruing resources authorised to be used by virtue of subsection (3) or (4) may be so used only through the part of the Scottish Administration through which they accrue.
- (6) The Parts of schedule 2 set out the types of accruing resources, purposes and overall amounts by reference to the parts of the Scottish Administration through which the resources accrue and may be used.
- (7) In this section, references to recoverable VAT are to value added tax in respect of which a claim for a refund may be made by the Scottish Administration under section 41(3) of the Value Added Tax Act 1994 (c. 23).

## **2 Direct-funded bodies**

- (1) Resources other than accruing resources may, in financial year 2009/10, be used by the direct-funded bodies mentioned in column 1 of schedule 3 for the purposes specified in that column—
  - (a) so far as the use of resources consists of incurring liability in respect of recoverable VAT, without limit as to amount, and
  - (b) in any other case, up to the amounts specified in the corresponding entries in column 2.
- (2) Accruing resources of the types specified in column 3 of schedule 3 may, in financial year 2009/10, be used by those bodies for the purposes specified in the corresponding entries in column 1 up to the amounts specified in column 4.
- (3) Accruing resources in respect of recoverable VAT may, in financial year 2009/10, be used, without limit as to amount, by any direct-funded body mentioned in column 1 of schedule 3 for any purpose for which resources are authorised to be used by that body by virtue of subsection (1).
- (4) Accruing resources of the types specified in column 1 of each Part of schedule 4 may, in financial year 2009/10, be used by the direct-funded body to which that Part relates for the purposes specified in the corresponding entries in column 2 up to the overall amount specified at the end of that Part.
- (5) In this section, references to recoverable VAT are to value added tax in respect of which a claim for a refund may be made by the direct-funded body concerned under section 41(3) of the Value Added Tax Act 1994 (c. 23).

### *The Scottish Consolidated Fund*

## **3 Overall cash authorisations**

For the purposes of section 4(2) of the 2000 Act, the overall cash authorisations for financial year 2009/10 are—

- (a) in relation to the Scottish Administration, [<sup>F1</sup>£30,894,997,000],
- (b) in relation to the Forestry Commissioners, [<sup>F2</sup>£66,950,000],
- (c) in relation to the Food Standards Agency, [<sup>F3</sup>£10,400,000],
- (d) in relation to the Scottish Parliamentary Corporate Body, [<sup>F4</sup>£81,765,000],
- (e) in relation to Audit Scotland, [<sup>F5</sup>£7,327,000].

---

*Changes to legislation: There are currently no known outstanding effects for the Budget (Scotland) Act 2009. (See end of Document for details)*

---

#### **Textual Amendments**

- F1** S. 3(a) sum substituted (17.3.2010) by [The Budget \(Scotland\) Act 2009 Amendment Order 2010 \(S.S.I. 2010/118\)](#), arts. 1(1), **2(2)(a)**
- F2** S. 3(b) sum substituted (17.3.2010) by [The Budget \(Scotland\) Act 2009 Amendment Order 2010 \(S.S.I. 2010/118\)](#), arts. 1(1), **2(2)(b)**
- F3** S. 3(c) sum substituted (17.3.2010) by [The Budget \(Scotland\) Act 2009 Amendment Order 2010 \(S.S.I. 2010/118\)](#), arts. 1(1), **2(2)(c)**
- F4** S. 3(d) sum substituted (17.3.2010) by [The Budget \(Scotland\) Act 2009 Amendment Order 2010 \(S.S.I. 2010/118\)](#), arts. 1(1), **2(2)(d)**
- F5** S. 3(e) sum substituted (17.3.2010) by [The Budget \(Scotland\) Act 2009 Amendment Order 2010 \(S.S.I. 2010/118\)](#), arts. 1(1), **2(2)(e)**

#### **4 Contingencies: payments out of the Fund**

- (1) This section applies where, in financial year 2009/10, it is proposed to pay out of the Scottish Consolidated Fund under section 65(1)(c) of the Scotland Act 1998 (c. 46), for or in connection with expenditure of the Scottish Administration or a direct-funded body, a sum which does not fall within the overall cash authorisation specified in section 3 in relation to the Scottish Administration or, as the case may be, that body.
- (2) The sum may be paid out of the Fund only if its payment is authorised by the Scottish Ministers.
- (3) The Scottish Ministers may authorise payment only if they consider that—
  - (a) the payment is necessarily required in the public interest to meet urgent expenditure for a purpose falling within section 65(2) of the Scotland Act 1998, and
  - (b) it is not reasonably practicable, for reasons of urgency, to amend the overall cash authorisation by an order under section 7 of this Act.
- (4) But the Scottish Ministers must not authorise payment of the sum if it would result in an excess of sums paid out of the Fund over sums paid into the Fund.
- (5) The aggregate amount of the sums which the Scottish Ministers may authorise to be paid out of the Fund under this section must not exceed £50,000,000.
- (6) Where the Scottish Ministers authorise a payment under this section they must, as soon as possible, lay before the Scottish Parliament a report setting out the circumstances of the authorisation and why they considered it to be necessary.

#### *Borrowing by certain statutory bodies*

#### **5 Borrowing by certain statutory bodies**

In schedule 5, the amounts set out in column 2 are the amounts specified for financial year 2009/10 for the purposes of the enactments listed in the corresponding entries in column 1 (which make provision as to the net borrowing of the bodies mentioned in that column).

---

*Changes to legislation: There are currently no known outstanding effects for the Budget (Scotland) Act 2009. (See end of Document for details)*

---

## <sup>F6</sup>PART 2

### FINANCIAL YEAR 2010/11

#### Textual Amendments

**F6** Pt. 2 repealed (10.3.2010) by Budget (Scotland) Act 2010 (asp 4), s. 8

## 6 **Emergency arrangements: overall cash authorisations**

.....

## PART 3

### MISCELLANEOUS AND SUPPLEMENTARY

#### *Budget revisions*

## 7 **Amendment of this Act**

- (1) The Scottish Ministers may by order made by statutory instrument amend—
  - (a) the amounts specified in section 3,
  - (b) schedules 1 to 5.
- (2) No order may be made under subsection (1) unless a draft of it has been laid before, and approved by resolution of, the Scottish Parliament.

#### *Supplementary*

## 8 **Repeal**

Part 2 (financial year 2009/10) of the Budget (Scotland) Act 2008 (asp 2) is repealed.

## 9 **Interpretation**

- (1) References in this Act to “the 2000 Act” are references to the Public Finance and Accountability (Scotland) Act 2000 (asp 1).
- (2) References in this Act to accruing resources in relation to the Scottish Administration or any direct-funded body are to such resources accruing to the Scottish Administration or, as the case may be, that body in financial year 2009/10.
- (3) References in this Act to the direct-funded bodies are references to the bodies mentioned in section 3(b) to (e) of this Act; and references to a direct-funded body are references to any of those bodies.
- (4) Except where otherwise expressly provided, expressions used in this Act and in the 2000 Act have the same meanings in this Act as they have in that Act.

---

***Changes to legislation:** There are currently no known outstanding effects  
for the Budget (Scotland) Act 2009. (See end of Document for details)*

---

**10 Short title**

This Act may be cited as the Budget (Scotland) Act 2009.

---

*Changes to legislation: There are currently no known outstanding effects for the Budget (Scotland) Act 2009. (See end of Document for details)*

---

## SCHEDULE 1

(introduced by section 1)

## THE SCOTTISH ADMINISTRATION

<i>Purpose</i>	<i>Amount of resources other than accruing resources</i>	<i>Type of accruing resources</i>	<i>Amount of accruing resources</i>
1. For use by the Scottish Ministers (through the First Minister's portfolio) [ <sup>F7</sup> on support for the arts, culture and creativity in Scotland, including the Gaelic language; cultural organisations; the creative industries]; Historic Scotland; central government grants to non-departmental public bodies, local authorities and other bodies and organisations; international relations and development assistance; expenditure on corporate and central services; expenditure in relation to running costs of Her Majesty's Chief Inspector of Prosecution in Scotland	[ <sup>F8</sup> £263,239,000]	Sale of land, buildings and equipment	
2. For use by the Scottish Ministers (through their Finance and Sustainable Growth portfolio) on running and capital costs of the Scottish Public Pensions Agency; expenditure on committees, commissions and other portfolio	[ <sup>F11</sup> £3,368,417,000]	Repayment of voted loans (capital) by Scottish Enterprise and Caledonian Maritime Assets Limited; repayment of loans by Independent Piers and Harbours Trusts; repayment of loans by Scottish Water; repayment of public dividend capital; sale	[ <sup>F12</sup> £10,000,000]

---

*Changes to legislation: There are currently no known outstanding effects  
for the Budget (Scotland) Act 2009. (See end of Document for details)*

---

services; expenditure  
and grant assistance  
in relation to public  
service reform  
and efficiency;  
data sharing and  
standards; 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 for  
vessel construction,  
grants for pier and  
other infrastructure  
and funding for  
a pilot of 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

of buildings, land and  
equipment

---

*Changes to legislation: There are currently no known outstanding effects  
for the Budget (Scotland) Act 2009. (See end of Document for details)*

---

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  
of 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;  
[<sup>F9</sup>grants to the Water  
Industry Commission  
for Scotland;] climate  
change activities;  
grants in respect  
of third sector  
development[<sup>F10</sup>,  
third sector resilience  
fund] and the  
Scottish Investment  
Fund; planning;  
architecture; building  
standards; tourism;  
grant in aid for  
Scottish Enterprise  
and Highlands and  
Islands Enterprise;  
Regional Selective  
Assistance including  
Innovation and  
Investment grants;  
telecommunications  
infrastructure;  
European Structural  
Fund grants to  
public corporations,  
non-departmental  
public bodies, local  
authorities and  
other bodies and  
organisations and



---

*Changes to legislation: There are currently no known outstanding effects  
for the Budget (Scotland) Act 2009. (See end of Document for details)*

---

EU programme  
administration  
costs; energy related  
activities; central  
government grants  
to local authorities;  
sundry enterprise  
related activities

3. For use by the  
Scottish Ministers  
(through their Health  
and Wellbeing  
portfolio) on hospital  
and community  
health services;  
family health  
services; community  
care; central  
government grants  
to local authorities;  
social care; welfare  
food (Healthy Start);  
F13

[<sup>F16</sup>£12,541,890,000]

Sale of property,  
land and equipment;  
repayment of loans

£300,000,000

... payments to the  
Skipton Fund; other  
health services;  
sportsotland and  
the delivery of the  
2014 Commonwealth  
Games; housing  
subsidies; Scottish  
Housing Regulator  
running costs; Energy  
Assistance Package;  
[<sup>F14</sup>Home Insulation  
Scheme;] 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; [<sup>F15</sup>grants  
to registered social  
landlords; loans  
to individuals];  
community  
engagement;

---

*Changes to legislation: There are currently no known outstanding effects for the Budget (Scotland) Act 2009. (See end of Document for details)*

---

regeneration  
programmes; grants  
for Vacant and  
Derelict Land  
Fund; programmes  
promoting  
social inclusion;  
expenditure relating  
to equality issues

4. For use by the  
Scottish Ministers  
(through their  
Education and  
Lifelong Learning  
portfolio) on  
schools; training  
and development  
of teachers;  
educational research,  
development  
and promotion;  
international  
and other  
educational services;  
qualifications  
assessment and  
skills; funding of the  
Additional Support  
Needs tribunal and  
HM Inspectors of  
Education; Disclosure  
Scotland and Social  
Work Inspection  
Agency; childcare,  
including care for  
vulnerable children;  
youth work, including  
youth justice and  
associated social  
work services; central  
government grants  
to local authorities;  
grant in aid for the  
Scottish Further and  
Higher Education  
Funding Council,  
Skills Development  
Scotland  
Limited, Scottish  
Qualifications  
Authority, Learning  
and Teaching

[<sup>F17</sup>£2,925,207,000]

Sale of surplus  
land, buildings and  
equipment; the  
repayment of student  
loans

[<sup>F18</sup>£90,000,000]

---

*Changes to legislation: There are currently no known outstanding effects for the Budget (Scotland) Act 2009. (See end of Document for details)*

---

Scotland, Scottish Children's Reporter Administration and Scottish Social Services Council; funding for the Student Awards Agency for Scotland and related costs, including the Student Loan Scheme; Enterprise in Education; funding activities associated with young people Not in Education, Employment or Training; research related activities and science related programmes delivered by the Chief Scientific Adviser for Scotland, including the funding of fellowships (including those funded by the Royal Society of Edinburgh); sundry lifelong learning activities including the provision of Education Maintenance Allowances and funding for International Students

5. For use by the Scottish Ministers (through their Justice portfolio) on legal aid (including the running costs of the Scottish Legal Aid Board); the Scottish Legal Complaints Commission; criminal injuries compensation (including administration);

[<sup>F20</sup>£1,772,277,000]

Sale of police vehicles; sale of prison land, buildings, staff quarters, vehicles, equipment and property

[<sup>F21</sup>£3,000,000]

---

*Changes to legislation: There are currently no known outstanding effects for the Budget (Scotland) Act 2009. (See end of Document for details)*

---

certain services relating to crime including the Parole Board for Scotland; the Scottish Prison Service; the Scottish Prisons Complaints Commission; the Scottish Criminal Cases Review Commission; the Risk Management Authority; the Police Complaints Commissioner for Scotland; the Scottish Police Services Authority and other police services and superannuation of police on secondment; police loan charges; Scottish Resilience; central government grants to local authorities; measures in relation to antisocial behaviour; measures in relation to drug abuse and treatment; [<sup>F19</sup>the Mental Health Tribunal;] miscellaneous services relating to administration of justice; community justice services; court services, including judicial pensions; the Accountant in Bankruptcy; certain legal services; costs and fees in connection with legal proceedings

6. For use by the Scottish Ministers (through their Rural Affairs and the Environment portfolio) on market

[<sup>F23</sup>£481,982,000]

Sale of surplus land, buildings and equipment; sale of holdings to existing tenants

[<sup>F24</sup>£10,000,000]

---

*Changes to legislation: There are currently no known outstanding effects  
for the Budget (Scotland) Act 2009. (See end of Document for details)*

---

support; support for  
agriculture in special  
areas including  
crofting communities;  
rural development,  
agri-environmental  
and farm woodland  
measures;  
compensation to  
sheep producers;  
animal health;  
agricultural  
education; advisory,  
research and  
development  
services; botanical  
and scientific  
services; assistance to  
production, marketing  
and processing;  
administration, land  
management and  
other agricultural  
services; assistance to  
the Scottish fisheries  
sector; fisheries  
protection; other  
services including  
fisheries research  
and development  
and special services;  
marine management;  
natural heritage;  
environment  
protection; rural  
affairs; other  
environmental  
expenditure; flood  
prevention; coastal  
protection; air quality  
monitoring; water  
grants (including  
the Drinking Water  
Quality Regulator for  
Scotland

F22

...)

7. For use by the  
Scottish Ministers on  
administrative costs  
and operational costs;  
costs of providing

[<sup>F25</sup>£277,058,000]

Income from sale of  
surplus capital assets

£35,000

---

*Changes to legislation: There are currently no known outstanding effects for the Budget (Scotland) Act 2009. (See end of Document for details)*

---

continuing services to the Scottish Parliament; costs associated with the functions of the Queen's Printer for Scotland

<p>8. For use by the Lord Advocate (through the Crown Office, the Procurator Fiscal Service and the office of Queen's and Lord Treasurer's Remembrancer) on administrative costs, including costs relating to the office of Queen's and Lord Treasurer's Remembrancer (including special payments made in relation to intestate estates which fall to the Crown as ultimate heir); fees paid to temporary procurators fiscal; witness expenses; victim expenses where applicable and other costs associated with Crown prosecutions and cases brought under the Proceeds of Crime Act 2002</p>	<p>[<sup>F26</sup>£119,490,000]</p>	<p>Sale of surplus assets</p>	<p>[<sup>F27</sup>£600,000]</p>
--	-------------------------------------	-------------------------------	---------------------------------

<p>9. For use by the Scottish Ministers (through their Local Government portfolio) on revenue support grants and payment to local authorities of non-domestic rates in Scotland; other local authority grants and special grants relating to council tax and spend-to-</p>	<p>[<sup>F28</sup>£10,379,762,000]</p>
--	--

---

*Changes to legislation: There are currently no known outstanding effects for the Budget (Scotland) Act 2009. (See end of Document for details)*

---

save scheme; housing support grant; other services including payments under the Bellwin scheme covering floods, storms and other emergencies

10. For use by the Registrar General of Births, Deaths and Marriages for Scotland (through the General Register Office for Scotland) on administrative costs and operational costs [F29]£14,667,000]

11. For use by the Scottish Ministers and the Keeper of the Records of Scotland (through the National Archives of Scotland) on administrative costs and operational costs (including costs associated with running the ScotlandsPeople Centre) [F30]£10,571,000]

12. For use by the Scottish Ministers on pensions, allowances, gratuities etc. payable in respect of the teachers' and national health service pension schemes [F31]£2,406,792,000]

13. For use by the Office of the Scottish Charity Regulator on administrative costs and operational costs [F32]£3,100,000]

---

#### Textual Amendments

- F7 Words in Sch. 1 substituted (17.3.2010) by [The Budget \(Scotland\) Act 2009 Amendment Order 2010 \(S.S.I. 2010/118\)](#), arts. 1(1), **3(2)(a)**

---

*Changes to legislation: There are currently no known outstanding effects for the Budget (Scotland) Act 2009. (See end of Document for details)*

---

- F8** Sch. 1 sum substituted (17.3.2010) by The Budget (Scotland) Act 2009 Amendment Order 2010 (S.S.I. 2010/118), arts. 1(1), **3(3)(a)**
- F9** Words in Sch. 1 inserted (17.3.2010) by The Budget (Scotland) Act 2009 Amendment Order 2010 (S.S.I. 2010/118), arts. 1(1), **3(2)(b)**
- F10** Words in Sch. 1 inserted (9.12.2009) by Budget (Scotland) Act 2009 Amendment Order 2009 (S.S.I. 2009/434), arts. 1(1), **3(2)**
- F11** Sch. 1 sum substituted (17.3.2010) by The Budget (Scotland) Act 2009 Amendment Order 2010 (S.S.I. 2010/118), arts. 1(1), **3(3)(b)**
- F12** Sch. 1 sum substituted (17.3.2010) by The Budget (Scotland) Act 2009 Amendment Order 2010 (S.S.I. 2010/118), arts. 1(1), **3(4)(a)**
- F13** Words in Sch. 1 omitted (17.3.2010) by virtue of The Budget (Scotland) Act 2009 Amendment Order 2010 (S.S.I. 2010/118), arts. 1(1), **3(2)(c)(i)**
- F14** Words in Sch. 1 inserted (17.3.2010) by The Budget (Scotland) Act 2009 Amendment Order 2010 (S.S.I. 2010/118), arts. 1(1), **3(2)(c)(ii)**
- F15** Words in Sch. 1 substituted (17.3.2010) by The Budget (Scotland) Act 2009 Amendment Order 2010 (S.S.I. 2010/118), arts. 1(1), **3(2)(c)(iii)**
- F16** Sch. 1 sum substituted (17.3.2010) by The Budget (Scotland) Act 2009 Amendment Order 2010 (S.S.I. 2010/118), arts. 1(1), **3(3)(c)**
- F17** Sch. 1 sum substituted (17.3.2010) by The Budget (Scotland) Act 2009 Amendment Order 2010 (S.S.I. 2010/118), arts. 1(1), **3(3)(d)**
- F18** Sch. 1 sum substituted (17.3.2010) by The Budget (Scotland) Act 2009 Amendment Order 2010 (S.S.I. 2010/118), arts. 1(1), **3(4)(b)**
- F19** Words in Sch. 1 inserted (17.3.2010) by The Budget (Scotland) Act 2009 Amendment Order 2010 (S.S.I. 2010/118), arts. 1(1), **3(2)(d)**
- F20** Sch. 1 sum substituted (17.3.2010) by The Budget (Scotland) Act 2009 Amendment Order 2010 (S.S.I. 2010/118), arts. 1(1), **3(3)(e)**
- F21** Sch. 1 sum substituted (9.12.2009) by Budget (Scotland) Act 2009 Amendment Order 2009 (S.S.I. 2009/434), arts. 1(1), **3(4)(b)**
- F22** Words in Sch. 1 omitted (17.3.2010) by virtue of The Budget (Scotland) Act 2009 Amendment Order 2010 (S.S.I. 2010/118), arts. 1(1), **3(2)(e)**
- F23** Sch. 1 sum substituted (17.3.2010) by The Budget (Scotland) Act 2009 Amendment Order 2010 (S.S.I. 2010/118), arts. 1(1), **3(3)(f)**
- F24** Sch. 1 sum substituted (17.3.2010) by The Budget (Scotland) Act 2009 Amendment Order 2010 (S.S.I. 2010/118), arts. 1(1), **3(4)(c)**
- F25** Sch. 1 sum substituted (17.3.2010) by The Budget (Scotland) Act 2009 Amendment Order 2010 (S.S.I. 2010/118), arts. 1(1), **3(3)(g)**
- F26** Sch. 1 sum substituted (17.3.2010) by The Budget (Scotland) Act 2009 Amendment Order 2010 (S.S.I. 2010/118), arts. 1(1), **3(3)(h)**
- F27** Sch. 1 sum substituted (17.3.2010) by The Budget (Scotland) Act 2009 Amendment Order 2010 (S.S.I. 2010/118), arts. 1(1), **3(4)(d)**
- F28** Sch. 1 sum substituted (17.3.2010) by The Budget (Scotland) Act 2009 Amendment Order 2010 (S.S.I. 2010/118), arts. 1(1), **3(3)(i)**
- F29** Sch. 1 sum substituted (17.3.2010) by The Budget (Scotland) Act 2009 Amendment Order 2010 (S.S.I. 2010/118), arts. 1(1), **3(3)(j)**
- F30** Sch. 1 sum substituted (17.3.2010) by The Budget (Scotland) Act 2009 Amendment Order 2010 (S.S.I. 2010/118), arts. 1(1), **3(3)(k)**
- F31** Sch. 1 sum substituted (17.3.2010) by The Budget (Scotland) Act 2009 Amendment Order 2010 (S.S.I. 2010/118), arts. 1(1), **3(3)(l)**
- F32** Sch. 1 sum substituted (17.3.2010) by The Budget (Scotland) Act 2009 Amendment Order 2010 (S.S.I. 2010/118), arts. 1(1), **3(3)(m)**



---

*Changes to legislation:* There are currently no known outstanding effects for the Budget (Scotland) Act 2009. (See end of Document for details)

---

## SCHEDULE 2

(introduced by section 1)

### ACCRUING RESOURCES OF THE SCOTTISH ADMINISTRATION WHICH MAY BE USED WITHOUT INDIVIDUAL LIMIT

#### PART 1

##### FIRST MINISTER'S PORTFOLIO

<i>Type of accruing resources</i>	<i>Purpose</i>
1. Income from admissions and retail at monuments operated by Historic Scotland and external partnership funding for capital projects	Expenditure on culture
2. Income from sales and grants in respect of the Royal Commission on the Ancient and Historic Monuments of Scotland	Expenditure on culture
3. Income from marketing	Expenditure on marketing
4. Income in respect of legal costs recovered by the Local Government Boundary Commission for Scotland	Payments to the Local Government Boundary Commission for Scotland
Overall amount: [ <sup>F33</sup> £33,000,000]	

#### Textual Amendments

**F33** Sch. 2 Pt. 1 sum substituted (17.3.2010) by [The Budget \(Scotland\) Act 2009 Amendment Order 2010 \(S.S.I. 2010/118\)](#), arts. 1(1), 4(2)

#### PART 2

##### FINANCE AND SUSTAINABLE GROWTH PORTFOLIO

<i>Type of accruing resources</i>	<i>Purpose</i>
1. Administration charges in respect of services undertaken by the Scottish Public Pensions Agency	Running costs of the Scottish Public Pensions Agency
2. Recovery of grant awarded to local authorities under the Bellwin scheme covering floods, storms and other emergencies	Expenditure on floods, storms and other emergencies
3. Repayment of loans by Scottish Water	Expenditure on Scottish Water
Overall amount: [ <sup>F34</sup> £200,000,000]	

*Changes to legislation: There are currently no known outstanding effects for the Budget (Scotland) Act 2009. (See end of Document for details)*

4. Repayment of loans by Scottish Water Business Stream Holdings Limited	Expenditure on Scottish Water Business Stream Holdings Limited
5. Recovery of unused grant from third sector organisations	Expenditure on third sector development
6. Refunds of grants for Regional Selective Assistance including Innovation and Investment	Expenditure on Regional Selective Assistance including Innovation and Investment
7. Income from electricity statutory consent fees	Expenditure on the administration of electricity statutory consents
8. Rents from land and property	Expenditure on motorways and trunk roads
9. Any sums accruing as a result of the dissolution of Scottish Transport Group	Payments to former members of Scottish Transport Group pension schemes
10. Sums accruing from Enterprise related activities	Expenditure on Enterprise related activities
11. Income from European Union including the European Social Fund and the European Regional Development Fund	Expenditure on European Union eligible support
12. Income from the European Union for administration costs	Expenditure on administration of European Union programmes
[ <sup>F35</sup> 13. Interest on Scottish Water post]	[ <sup>F35</sup> Expenditure on Scottish Water]
[ <sup>F35</sup> 14. Interest on ferry vessel loans on post Devolution voted loans]	[ <sup>F35</sup> Expenditure on ferry services in Scotland]
Overall amount: [ <sup>F34</sup> £200,000,000]	

#### Textual Amendments

- F34** Sch. 2 Pt. 2 sum substituted (17.3.2010) by [The Budget \(Scotland\) Act 2009 Amendment Order 2010 \(S.S.I. 2010/118\)](#), arts. 1(1), **4(3)(b)**
- F35** Words in Sch. 2 Pt. 2 inserted (17.3.2010) by [The Budget \(Scotland\) Act 2009 Amendment Order 2010 \(S.S.I. 2010/118\)](#), arts. 1(1), **4(3)(a)**

### PART 3

#### HEALTH AND WELLBEING PORTFOLIO

<i>Type of accruing resources</i>	<i>Purpose</i>
1. Income from the sale of research results and publications; other minor miscellaneous income	Miscellaneous expenditure
2. Capital sums accruing from housing related activities	Expenditure on housing related activities
Overall amount: [ <sup>F36</sup> £1,200,000,000]	

---

*Changes to legislation: There are currently no known outstanding effects for the Budget (Scotland) Act 2009. (See end of Document for details)*

---

3. Recovery of grants or loans awarded to individuals and recovery of grants awarded to local authorities and Registered Social Landlords	Expenditure on housing
4. Income F37 ... in respect of right to buy sales following housing stock transfer	Expenditure on housing
5. Receipts F38 ... arising out of housing stock transfers	Repayment of local authority housing debt and associated costs
6. Income from loans related to housing	Expenditure on housing
7. Recovery of unused regeneration monies	Expenditure on regeneration
8. Charges to private patients; income generation schemes; charges for the processing of plasma for the Department of Health, Social Services and Public Safety in Northern Ireland; handling charges for blood products; sales of antibodies and related products; repayments of Project 2000 bursaries; National Insurance contributions	Expenditure on hospital and community health services
9. Prescription charges collected by dispensing doctors, pharmacists, Health Boards and appliance suppliers; sales of prescription pre-payment certificates; payments under the Pharmaceutical Price Regulation Scheme; rental of national health service properties; charges collected by dental practitioners and ophthalmologists; recovery of charges from patients, dispensing contractors and practitioners	Expenditure on family health services
10. Sales of publications; fees for conferences and courses; royalties from projects developed with portfolio assistance; sales of vitamin drops and tablets at national health service clinics; other miscellaneous income	Expenditure on other health services
11. Income from fees charged by the Scottish Commission for the Regulation of Care	Expenditure on community care

---

Overall amount: [F36£1,200,000,000]

---

#### Textual Amendments

**F36** Sch. 2 Pt. 3 sum substituted (17.3.2010) by [The Budget \(Scotland\) Act 2009 Amendment Order 2010 \(S.S.I. 2010/118\)](#), arts. 1(1), **4(4)(c)**

**F37** Words in Sch. 2 Pt. 3 omitted (17.3.2010) by virtue of [The Budget \(Scotland\) Act 2009 Amendment Order 2010 \(S.S.I. 2010/118\)](#), arts. 1(1), **4(4)(a)**

*Changes to legislation: There are currently no known outstanding effects for the Budget (Scotland) Act 2009. (See end of Document for details)*

**F38** Words in Sch. 2 Pt. 3 omitted (17.3.2010) by virtue of The Budget (Scotland) Act 2009 Amendment Order 2010 (S.S.I. 2010/118), arts. 1(1), 4(4)(b)

## PART 4

### EDUCATION AND LIFELONG LEARNING PORTFOLIO

<i>Type of accruing resources</i>	<i>Purpose</i>
1. Recovery of costs by HM Inspectors of Education	Expenditure on education services
2. Repayment of student awards and interest capitalised on student loans	Expenditure of the Student Awards Agency for Scotland
3. Sums accruing from Lifelong Learning related activities	Expenditure on Lifelong Learning related activities
4. Income from criminal record checks carried out by Disclosure Scotland	Expenditure on Disclosure Scotland and Education and Lifelong Learning related activities
Overall amount: [F39 £143,000,000]	

#### **Textual Amendments**

**F39** Sch. 2 Pt. 4 sum substituted (17.3.2010) by The Budget (Scotland) Act 2009 Amendment Order 2010 (S.S.I. 2010/118), arts. 1(1), 4(5)

## PART 5

### JUSTICE PORTFOLIO

<i>Type of accruing resources</i>	<i>Purpose</i>
1. Superannuation contributions for police officers on secondment to the Scottish Police College (SPC); charges for students from outwith Scottish Police Forces; charges for use of the SPC for various activities	Expenditure of the SPC
2. Contributions made by the Scottish Police Federation to the cost of salaries, etc. of their secretary and chairman; receipts from fixed penalty notices	Expenditure on police services
3. Income from sale of prison-manufactured goods, services and other industries income; various income including income from land and buildings	Expenditure of the Scottish Prison Service
Overall amount: £57,000,000	

---

*Changes to legislation: There are currently no known outstanding effects for the Budget (Scotland) Act 2009. (See end of Document for details)*

---

4. General income of the Scottish Fire Services College, including that from fire related and other organisations which use the college's teaching and conference facilities on a repayment basis	Expenditure on Scottish Resilience
5. Civil contingencies income from sale of surplus and obsolete equipment; course income; rents from other bodies using radio masts or stations owned by the Scottish Executive	Expenditure on Scottish Resilience
6. Superannuation contributions collected by the Scottish Legal Aid Board	Expenditure on legal aid
7. Income from cinematography exemption certificate fees and criminal statistics and other miscellaneous receipts	Miscellaneous expenditure
8. Fees for civil cases; rent from minor occupiers	Expenditure of the Scottish Court Service
9. Income relating to sequestration etc.	Expenditure on the Accountant in Bankruptcy
10. Amounts recovered under the Proceeds of Crime Act 2002	Expenditure on Community Safety
Overall amount: £57,000,000	

## PART 6

### RURAL AFFAIRS AND THE ENVIRONMENT PORTFOLIO

<i>Type of accruing resources</i>	<i>Purpose</i>
1. Funding from European agricultural and fisheries funds	EU Common Agricultural Policy (CAP) support, rural development and fisheries subsidy and grant schemes
2. Sale of carcasses; repayment of loans under Crofting Building Loan Scheme; bond fees and insurance; rents and wayleaves; recovery of costs in connection with land drainage; fees for CAP appeals; sales of produce; charges under livestock schemes; pension contributions from members of the Crofters Commission; charges for cattle passports; charges for relevant publications and statistics	Related rural and agricultural services expenditure
3. Charges for advisory visits, certifications, testing fish and hire of equipment	Related Fisheries Research Services and Scottish Fisheries Protection Agency expenditure
Overall amount: [F40£660,000,000]	

*Changes to legislation: There are currently no known outstanding effects for the Budget (Scotland) Act 2009. (See end of Document for details)*

4. Repayment of loans by harbour authorities; charges for relevant publications and statistics	Related fisheries expenditure
5. Charges for plant health and control work, seed and variety testing and pesticides work; sales of produce; charges for advisory visits, certifications, testing plants and animals	Related rural services and rural payments and inspections expenditure
6. Sale of research results and publications; charges for licences under the Food and Environment Protection Act 1985; pension contributions from members of the Deer Commission	Expenditure on environmental services
[ <sup>F41</sup> 7. Interest on Crofters Commission post Devolution voted loans]	[ <sup>F41</sup> Expenditure on rural services]
Overall amount: [ <sup>F40</sup> £660,000,000]	

#### Textual Amendments

- F40** Sch. 2 Pt. 6 sum substituted (17.3.2010) by [The Budget \(Scotland\) Act 2009 Amendment Order 2010 \(S.S.I. 2010/118\)](#), arts. 1(1), **4(6)(b)**
- F41** Words in Sch. 2 Pt. 6 inserted (17.3.2010) by [The Budget \(Scotland\) Act 2009 Amendment Order 2010 \(S.S.I. 2010/118\)](#), arts. 1(1), **4(6)(a)**

## PART 7

### SCOTTISH EXECUTIVE (ADMINISTRATION)

<i>Type of accruing resources</i>	<i>Purpose</i>
1. Payments from outwith the Scottish Executive for professional services; income from the Statistical Office of the European Union; discounts; recovery of legal costs; income from payment for services and recovery of other costs; recovery of National Insurance Fund payments; New Deal income; profit from sale of surplus capital assets; repayments of loans made to members of staff for house purchase; rent from minor occupiers; European Fast Stream income[ <sup>F43</sup> ; payment from Scottish Parliament for Ministerial pay increase]	Scottish Executive core directorates running costs
2. Recovery of salaries and other expenses of outward seconded and loaned staff; recovery of salaries of staff assigned to the Criminal Injuries Compensation Agency (CICA)	Expenditure on outward seconded and loaned staff and staff assigned to CICA
Overall amount: [ <sup>F42</sup> £33,600,000]	

*Changes to legislation:* There are currently no known outstanding effects for the Budget (Scotland) Act 2009. (See end of Document for details)

### Textual Amendments

- F42** Sch. 2 Pt. 7 substituted (17.3.2010) by [The Budget \(Scotland\) Act 2009 Amendment Order 2010 \(S.S.I. 2010/118\)](#), arts. 1(1), **4(7)(b)**
- F43** Words in Sch. 2 Pt. 7 inserted (17.3.2010) by [The Budget \(Scotland\) Act 2009 Amendment Order 2010 \(S.S.I. 2010/118\)](#), arts. 1(1), **4(7)(a)**

## PART 8

### CROWN OFFICE AND PROCURATOR FISCAL SERVICE

<i>Type of accruing resources</i>	<i>Purpose</i>
1. Fees charged for administering the estates of persons who die intestate and without known heirs; income from such estates; income from disposal of ownerless or abandoned property which falls to the Crown; sale of Statute Amendments; income from the sale of waste paper and obsolete office machinery; minor occupancy income; minor miscellaneous income; profit on sale of surplus capital assets	Running costs of the Crown Office and Procurator Fiscal Service
Overall amount: £600,000	

## PART 9

### REGISTRAR GENERAL OF BIRTHS, DEATHS AND MARRIAGES FOR SCOTLAND

<i>Type of accruing resources</i>	<i>Purpose</i>
1. Income from sales of records services; reappportioned income from minor occupiers	Expenditure on Records Enterprise, ScotlandsPeople, the ScotlandsPeople Centre and registration expenditure
2. Royalties from sales on the internet	Expenditure on Records Enterprise, ScotlandsPeople and the ScotlandsPeople Centre
3. Income from Scottish Executive for running the National Health Service Central Register; income from sales of information by National Health Service Central Register; income from sales of vital statistics; reappportioned income from minor occupiers	Expenditure on vital events and national health service
4. Income from the Improvement Service for providing information to support the Citizen's Account	Expenditure on vital events
Overall amount: £5,600,000	

*Changes to legislation: There are currently no known outstanding effects for the Budget (Scotland) Act 2009. (See end of Document for details)*

5. Income from sales of Census and other geographical information; sales of population statistics; reapportioned income from minor occupiers	Expenditure on Census and population statistics
--	---

Overall amount: £5,600,000

## PART 10

### KEEPER OF THE RECORDS OF SCOTLAND

<i>Type of accruing resources</i>	<i>Purpose</i>
1. Fees and other income for the issue of photocopy orders; professional searchers contract fees; inspection fees; microfilm and digital imaging services; sale of publications; income from conservation and specialist services; income from Registers of Scotland Executive Agency for services provided	Running costs of the National Archives of Scotland

Overall amount: £1,000,000

## PART 11

### SCOTTISH EXECUTIVE (SCOTTISH TEACHERS' AND NHS PENSION SCHEMES)

<i>Type of accruing resources</i>	<i>Purpose</i>
1. Contributions in respect of teachers' and national health service superannuation	Expenditure on teachers' and national health service superannuation

Overall amount: [<sup>F44</sup>£1,600,000,000]

#### Textual Amendments

**F44** Sch. 2 Pt. 11 sum substituted (9.12.2009) by [Budget \(Scotland\) Act 2009 Amendment Order 2009 \(S.S.I. 2009/434\)](#), arts. 1(1), **4(5)**

## SCHEDULE 3

(introduced by section 2)

### DIRECT-FUNDED BODIES

<i>Purpose</i>	<i>Amount of resources other than accruing resources</i>	<i>Type of accruing resources</i>	<i>Amount of accruing resources</i>
----------------	--	-----------------------------------	-------------------------------------



*Changes to legislation: There are currently no known outstanding effects for the Budget (Scotland) Act 2009. (See end of Document for details)*

<p>1. For use by the Forestry Commissioners in or as regards Scotland on the promotion of forestry in Scotland including advising on the development and delivery of forestry policy, regulating and supporting, through grant in aid, the forestry sector, managing the national forest estate in Scotland; administrative costs</p>	<p>[<sup>F45</sup>£83,350,000]</p>	<p>Miscellaneous income</p>	<p>£15,000,000</p>
<p>2. For use by the Food Standards Agency in or as regards Scotland on administrative and operational costs, including research, monitoring and surveillance and public information and awareness relating to food safety and standards; the Meat Hygiene Service</p>	<p>[<sup>F46</sup>£10,500,000]</p>	<p>Miscellaneous income</p>	<p>£100</p>
<p>3. For use by the Scottish Parliamentary Corporate Body on ongoing costs associated with the administration and operation of the Scottish Parliament; payments in respect of the functions of the Scottish Parliamentary Standards Commissioner, the Commissioner for Public Appointments in Scotland, the Scottish Public Services</p>	<p>£103,548,000</p>	<p>Miscellaneous income and capital receipts</p>	<p>£100</p>

---

*Changes to legislation: There are currently no known outstanding effects for the Budget (Scotland) Act 2009. (See end of Document for details)*

---

Ombudsman, the  
Scottish Information  
Commissioner, the  
Commissioner for  
Children and Young  
People in Scotland  
and the Scottish  
Commission for  
Human Rights; any  
other payments  
relating to the  
Scottish Parliament

4. For use by Audit Scotland, including assistance and support to the Auditor General for Scotland and the Accounts Commission for Scotland and other audit work for public bodies and for payment of pensions to former Local Government Ombudsmen and their staff	[ <sup>F47</sup> £7,779,000]	Income from sale of IT equipment and furniture	£20,000
---	------------------------------	--	---------

---

**Textual Amendments**

- F45** Sch. 3 sum substituted (17.3.2010) by [The Budget \(Scotland\) Act 2009 Amendment Order 2010 \(S.S.I. 2010/118\)](#), arts. 1(1), **5(2)(a)**
- F46** Sch. 3 sum substituted (17.3.2010) by [The Budget \(Scotland\) Act 2009 Amendment Order 2010 \(S.S.I. 2010/118\)](#), arts. 1(1), **5(2)(b)**
- F47** Sch. 3 sum substituted (9.12.2009) by [Budget \(Scotland\) Act 2009 Amendment Order 2009 \(S.S.I. 2009/434\)](#), arts. 1(1), **5(2)(b)**

---

*Changes to legislation: There are currently no known outstanding effects for the Budget (Scotland) Act 2009. (See end of Document for details)*

---

## SCHEDULE 4

(introduced by section 2)

### ACCRUING RESOURCES OF DIRECT-FUNDED BODIES WHICH MAY BE USED WITHOUT INDIVIDUAL LIMIT

#### PART 1

##### FORESTRY COMMISSIONERS

---

<i>Type of accruing resources</i>	<i>Purpose</i>
1. Recovery of grants; repayments by staff of loans and other recoverable expenses; miscellaneous income from sales of publications, training courses etc.	Policy, regulatory and grant-giving functions
Overall amount: £6,100,000	

---

#### PART 2

##### FOOD STANDARDS AGENCY

---

<i>Type of accruing resources</i>	<i>Purpose</i>
1. Recovery of costs from Radioactive Site Operators in relation to the Food Standards Agency's role in assessing the impact of proposed radioactive waste disposal authorisations on the food chain; income from sale of publications and income generation schemes	Expenditure of the Food Standards Agency in or as regards Scotland
2. Income from industry levied charges in respect of statutory veterinary services and inspections undertaken by the Meat Hygiene Service	Expenditure of the Food Standards Agency in or as regards Scotland in supporting the provision of the Meat Hygiene Service
Overall amount: £100	

---

#### PART 3

##### SCOTTISH PARLIAMENTARY CORPORATE BODY

---

<i>Type of accruing resources</i>	<i>Purpose</i>
1. Broadcasting income; income from sale of gifts; income from commercial sales and other services provided to the public	Expenditure on administrative costs of the Scottish Parliament
Overall amount: £800,000	

---

*Changes to legislation: There are currently no known outstanding effects  
for the Budget (Scotland) Act 2009. (See end of Document for details)*

## PART 4

### AUDIT SCOTLAND

<i>Type of accruing resources</i>	<i>Purpose</i>
1. Fees and charges for audit work; recovery of costs associated with the functions of the Auditor General for Scotland and the Accounts Commission for Scotland; miscellaneous income from publications, conferences, provision of administrative services etc.; rental income etc.; recovery of costs of seconded staff; repayment of loans by staff; recovery of car leasing payments; interest received on working balances	Expenditure of Audit Scotland, the Auditor General for Scotland and the Accounts Commission for Scotland
Overall amount: £22,000,000	

## SCHEDULE 5

*(introduced by section 5)*

### BORROWING BY CERTAIN STATUTORY BODIES

<i>Enactment</i>	<i>Amount</i>
1. Section 25 of the Enterprise and New Towns (Scotland) Act 1990 (c. 35) (Scottish Enterprise)	£10,000,000
2. Section 26 of that Act (Highlands and Islands Enterprise)	£1,000,000
3. Section 48 of the Environment Act 1995 (c. 25) (Scottish Environment Protection Agency)	Nil
4. Section 42 of the Water Industry (Scotland) Act 2002 (asp 3) (Scottish Water)	£215,300,000
5. Section 14 of the Water Services etc. (Scotland) Act 2005 (asp 3) (Scottish Water Business Stream Holdings Limited)	Nil

**Changes to legislation:**

There are currently no known outstanding effects for the Budget (Scotland) Act 2009.