
EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Budget (Scotland) Act 2007 (“the 2007 Act”), which makes provision, for the financial year 2007/08, 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 and borrowing of local authorities and certain other public bodies.

It aligns the Scottish Government’s management systems and structures more closely with the new administration’s objectives. The Order reflects the reallocation of resources from the former Scottish Executive Departments to the new Scottish Government portfolios.

In particular, this Order amends the 2007 Act so as to—

- (a) alter the overall cash authorisations in respect of three of the five bodies referred to in section 3 (article 2);
- (b) restate the purposes for which resources may be used in accordance with section 1 and schedule 1 (article 3(2));
- (c) restate the amount of resources other than accruing resources that may be used for the purposes set out in schedule 1 (article 3(3));
- (d) restate the type of accruing resources which may be used in accordance with section 1 and schedule 1 (article 3(4));
- (e) restate the amounts of accruing resources in schedule 1 (article 3(5)).
- (f) remove types of accruing resources, and their corresponding purposes, which may be used without individual limit respectively in relation to the Rural Affairs and the Environment portfolio (article 4(2)(b)), the Health and Wellbeing portfolio (article 4(3)(c) and (d)), the Education and Lifelong Learning portfolio (article 4(4)(b)) and the Finance and Sustainable Growth portfolio (article 4(11)(1));
- (g) add types of accruing resources, and their corresponding purposes, which may be used without individual limit respectively in relation to the Health and Wellbeing portfolio (article 4(3)(e)), the Education and Lifelong Learning portfolio (article 4(4)(b)) and the Finance and Sustainable Growth portfolio (article 4(11)(c));
- (h) remove Part 4 (Scottish Executive Enterprise, Transport and Lifelong Learning Department) and Part 5 (Scottish Executive Health Department) and add a new Part 13 (Office of the First Minister) to schedule 2 (accruing resources of the Scottish Administration which may be used without individual limit) (article 4(5), (6) and (12)); and
- (i) alter the overall amounts of accruing resources that may be used without individual limit respectively in relation to the Health and Wellbeing portfolio (article 4(3)(f)), the Education and Lifelong Learning portfolio (article 4(4)(c)), the Justice portfolio (article 4(7)(b)), the Registrar General of Births, Deaths and Marriages (article 4(9)) and the Finance and Sustainable Growth portfolio (article 4(11)(c)).

The attached table provides reconciliation between the budgets for the former Scottish Executive Departments and the new Scottish government portfolios.

Draft Legislation: This is a draft item of legislation. This draft has since been made as a Scottish Statutory Instrument: The Budget (Scotland) Act 2006 Amendment Order 2007 No. 244

2007–08 BUDGET ACT	Total	First Minister	Finance and Sustainable Growth	Health & Wellbeing	Education and Lifelong Learning	Rural Affairs and the Environment	Justice	Administration	Total
	£	£	£	£	£	£	£	£	£
Environment and Rural Affairs	938,076,000		320,700,000			617,376,000			938,076,000
Development	1,323,561,000		18,685,000	302,027,000	2,809,000				1,323,561,000
Education	1,094,349,000	10,571,000	3,350,000	2,532,000	98,896,000				1,094,349,000
Enterprise, Transport and Lifelong Learning	5,253,742,000		2,955,260,000		2,298,482,000				5,253,742,000
Finance and Public Service Reform	8,060,906,000	2,092,000	8,032,776,000	4,338,000					8,060,906,000
Health	8,848,314,000			8,848,314,000					8,848,314,000
Justice	1,671,921,000						1,671,921,000		1,671,921,000
Total Programme	27,190,869,000	2,092,000	11,037,776,000	13,386,314,000	2,809,000	617,376,000	1,671,921,000	251,565,000	27,190,869,000
Administration	251,565,000							251,565,000	251,565,000
Total Scottish Executive Core	27,442,434,000	2,092,000	11,037,776,000	13,386,314,000	2,809,000	617,376,000	1,671,921,000	251,565,000	27,442,434,000
GROS	10,324,000								10,324,000
NAS	10,068,000								10,068,000
Pensions	2,006,670,000								2,006,670,000
Office of the Charity Regulator	3,600,000								3,600,000
Crown Office and Procurator	100,579,000								100,579,000

1. These figures include the non cash elements of the budgets which are excluded from the figures shown in Section 3 of the Budget (Scotland) Act 2007 (Table 1.5 of the Supporting document refers).

2007–08 BUDGET ACT	Total	First Minister	Finance and Sustainable Growth	Health & Wellbeing	Education and Lifelong Learning	Rural Affairs and the Environment	Justice	Administration	Total
	£	£	£	£	£	£	£	£	£
Fiscal Service									
Total Scottish Administration¹	29,573,675,000			Culture from Education					219,571,000
				International Relations, Statistics and Advertising from Finance and Public Service Reform					23,792,000
Forestry Commission ¹	84,402,000	Cabinet Secretary for Finance and Sustainable Growth							
Food Standards Agency ¹	10,771,000			Tourism from Education					43,350,000
Scottish Parliamentary Corporate Body ¹	98,234,000			Transport from Enterprise, Transport and Lifelong Learning					2,343,000,000
Audit Scotland ¹	7,108,000			Enterprise from Enterprise, Transport and Lifelong Learning					612,260,000
				Scottish Water from Environment and Rural Affairs					320,700,000
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Total Scottish Executive	29,774,190,000			Cabinet Secretary for Health and Wellbeing					
				Communities from Development					1,302,027,000
				Sport from Education					32,532,000

1. These figures include the non cash elements of the budgets which are excluded from the figures shown in Section 3 of the Budget (Scotland) Act 2007 (Table 1.5 of the Supporting document refers).