

## 2001 No. 68

### PUBLIC FINANCE AND ACCOUNTABILITY

#### The Budget (Scotland) Act 2000 (Amendment) (No. 2) Order 2001

*Made*

*6th March 2001*

*Coming into force*

*7th March 2001*

The Scottish Ministers, in exercise of the powers conferred by section 6(1) of the Budget (Scotland) Act 2000(a) and of all other powers enabling them in that behalf, hereby make the following Order, a draft of which has, in accordance with section 6(2) of that Act, 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 2000 (Amendment) (No. 2) Order 2001 and shall come into force on the day following that on which it is made.

(2) In this Order, “the 2000 Act” means the Budget (Scotland) Act 2000.

#### **Amendment of the 2000 Act**

2.—(1) The 2000 Act is amended as follows.

(2) In section 4(1) (capital expenditure of local authorities etc.) for “£626,571,000” there is substituted “£626,568,000”(b).

(3) In Schedule 1—

(a) in column 1, in entry number 11 (Crown Office and Procurator Fiscal Service), “the provision of grant in aid to certain Scottish Universities which undertake post mortem examinations on behalf of the Crown” is omitted; and

(b) the amounts specified in columns 2 and 4(c) are amended in accordance with Schedule 1 to this Order.

(4) In Part 11 of Schedule 2 (Crown Office and Procurator Fiscal Service)—

(a) in column 1 of the table, in entry number 1, “in respect of notional capital charging” is omitted; and

(b) for “£500,000” there is substituted “£600,000”.

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(a) 2000 asp 2.

(b) Section 4(1) of the 2000 Act was amended by the Budget (Scotland) Act 2000 (Amendment) Order 2001 (S.S.I. 2001/7), article 2(2).

(c) Columns 2 and 4 of Schedule 1 to the 2000 Act were amended by article 2(3)(b) of S.S.I. 2001/7.

(5) In Schedule 3, the amounts specified in columns 2 and 4(a) are amended in accordance with Schedule 2 to this Order.

St Andrew's House,  
Edinburgh  
6th March 2001

*ANGUS MACKAY*  
A member of the Scottish Executive

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(a) Column 2 of Schedule 3 to the 2000 Act was amended by the Budget (Scotland) Act 2000 (Amendment) Order 2000 (S.S.I. 2000/307), article 2(5) and columns 2 and 4 were amended by article 2(5) of S.S.I. 2001/7.

## SCHEDULE 1

## AMENDMENTS TO AMOUNTS SPECIFIED IN SCHEDULE 1 TO THE 2000 ACT

1. In Schedule 1 to the 2000 Act, in the entries specified in column 1 of the table below, for the amounts specified in relation to those entries in columns 2 and 4 of that Schedule (and which amounts are, for convenience, shown in italics in columns 2 and 4 of the table) there are substituted the amounts (if any) specified in relation to those entries in columns 3 and 5 respectively of the table.

2. Where no amount is specified in any entry in column 3 or 5 of the table, no amendment is made to the amount specified in the entry in column 2 or 4 respectively of the Schedule to which that entry relates.

<i>Entry Number</i>	<i>Existing Amount</i>	<i>New Amount</i>	<i>Existing amount which may be applied</i>	<i>New amount which may be applied</i>
1. (Scottish Executive Rural Affairs Department)	<i>£532,533,000</i>	£534,710,000	<i>£52,834,000</i>	£53,034,000
2. (Scottish Executive Development Department)	<i>£6,095,025,000</i>	£6,138,588,000	<i>£79,053,000</i>	£71,586,000
3. (Scottish Executive Education Department)	<i>£909,367,000</i>	£955,131,000	<i>£1,300,000</i>	-
4. (Scottish Executive Enterprise and Lifelong Learning Department)	<i>£2,084,589,000</i>	£2,092,832,000	<i>£24,713,000</i>	-
5. (Scottish Executive Health Department)	<i>£4,986,346,000</i>	£4,915,993,000	<i>£4,100,000</i>	£14,100,000
6. (Scottish Executive Justice Department)	<i>£944,925,000</i>	£972,594,000	<i>£2,761,000</i>	-
7. (Scottish Executive Administration)	<i>£187,813,000</i>	£191,651,000	<i>£132,000</i>	£63,000
8. (Scottish Executive Secretariat)	<i>£8,334,000</i>	-	-	-
9. (General Register Office for Scotland)	<i>£12,133,000</i>	-	-	-
10. (National Archives of Scotland)	<i>£6,659,000</i>	-	<i>£20,000</i>	-
11. (Crown Office and Procurator Fiscal Service)	<i>£54,985,000</i>	£57,785,000	-	-

## SCHEDULE 2

## AMENDMENTS TO AMOUNTS SPECIFIED IN SCHEDULE 3 TO THE 2000 ACT

1. In Schedule 3 to the 2000 Act, in the entries specified in column 1 of the table below, for the amounts specified in relation to those entries in columns 2 and 4 of that Schedule (and which amounts are, for convenience, shown in italics in columns 2 and 4 of the table) there are substituted the amounts (if any) specified in relation to those entries in columns 3 and 5 respectively of the table.

2. Where no amount is specified in any entry in column 3 or 5 of the table, no amendment is made to the amount specified in the entry in column 2 or 4 respectively of the Schedule to which that entry relates.

<i>Entry Number</i>	<i>Existing amount</i>	<i>New amount</i>	<i>Existing amount which may be applied</i>	<i>New amount which may be applied</i>
1. (Forestry Commissioners)	<i>£30,700,000</i>	£33,000,000	<i>£43,690,000</i>	£41,390,000
2. (Food Standards Agency)	<i>£5,162,000</i>	£5,207,000	-	-
3. (Scottish Parliamentary Corporate Body)	<i>£109,684,000</i>	-	-	-
4. (Audit Scotland)	<i>£4,200,000</i>	-	<i>£1,000</i>	-

## EXPLANATORY NOTE

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

This Order amends the Budget (Scotland) Act 2000, which makes provision, for financial year 2000/01, for payments out of the Scottish Consolidated Fund and the application of sums otherwise payable into that Fund, and for limits on the capital expenditure of and borrowing of local authorities and certain other public bodies. In particular, the Order amends that Act so as to—

- (a) alter the maximum amount for the purposes of section 94(5) of the Local Government (Scotland) Act 1973 (c.65) (which provides for limits on the amount of capital expenses which may be incurred by local authorities in any financial year) (article 2(2));
- (b) amend the purposes for which sums may be paid out of the Scottish Consolidated Fund under section 65(1)(c) and (2)(a) of the Scotland Act 1998, so as to exclude the provision of grants to Scottish Universities for post mortem examinations (article 2(3)(a));
- (c) alter the maximum amounts which may be paid out of the Scottish Consolidated Fund in connection with expenditure of the various parts of the Scottish Administration and of the Forestry Commissioners, the Food Standards Agency, the Scottish Parliamentary Corporate Body and Audit Scotland, and the maximum amounts of receipts which may be applied in connection with their expenditure (articles 2(3)(b) and 2(5));
- (d) provide that minor occupancy receipts of office holders in the Crown Office and Procurator Fiscal Service in respect of notional capital charging may not be applied for certain specified purposes instead of being paid into the Scottish Consolidated Fund (article 2(4)(a)); and
- (e) increase the amount of receipts of office holders in the Crown Office and Procurator Fiscal Service which may be applied for specific purposes instead of being paid into the Scottish Consolidated Fund (article 2(4)(b)).





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The Budget (Scotland) Act 2000 (Amendment) (No. 2) Order  
2001

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