

**2009 No. 434**

**PUBLIC FINANCE AND ACCOUNTABILITY**

**The Budget (Scotland) Act 2009 Amendment Order 2009**

*Made - - - - 8th December 2009*

*Coming into force in accordance with article 1*

The Scottish Ministers make the following Order in exercise of the powers conferred by section 7(1) of the Budget (Scotland) Act 2009(a) and all other powers enabling them to do so.

In accordance with section 7(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 2009 Amendment Order 2009 and comes into force on the day after the day on which it is made.

(2) In this Order, “the 2009 Act” means the Budget (Scotland) Act 2009.

**Amendment of section 3 of the 2009 Act**

2.—(1) Section 3 of the 2009 Act (overall cash authorisations) is amended in accordance with paragraph (2).

(2) In section 3—

- (a) in paragraph (a) (in relation to the Scottish Administration), for “£28,507,402,000” substitute “£30,818,357,000”;
- (b) in paragraph (b) (in relation to the Forestry Commissioners), for “£77,400,000” substitute “£68,800,000”;
- (c) in paragraph (d) (in relation to the Scottish Parliamentary Corporate Body), for “£89,665,000” substitute “£81,665,000”; and
- (d) in paragraph (e) (in relation to Audit Scotland), for “£6,577,000” substitute “£7,077,000”.

**Amendment of schedule 1 to the 2009 Act**

3.—(1) Schedule 1 to the 2009 Act (the Scottish Administration) is amended in accordance with paragraphs (2) to (4).

(2) In column 1 (purpose), in relation to the second purpose, after “grants in respect of third sector development” insert “, third sector resilience fund”.

- (3) In column 2 (amount of resources other than accruing resources)—
- (a) in relation to the first purpose, for “£265,145,000” substitute “£263,911,000”;
  - (b) in relation to the second purpose, for “£3,394,657,000” substitute “£3,429,250,000”;
  - (c) in relation to the third purpose, for “£10,435,534,000” substitute “£12,415,505,000”;
  - (d) in relation to the fourth purpose, for “£2,786,887,000” substitute “£2,907,834,000”;
  - (e) in relation to the fifth purpose, for “£1,844,703,000” substitute “£1,806,588,000”;
  - (f) in relation to the sixth purpose, for “£545,766,000” substitute “£516,761,000”;
  - (g) in relation to the seventh purpose, for “£273,177,000” substitute “£274,023,000”;
  - (h) in relation to the eighth purpose, for “£118,730,000” substitute “£119,090,000”;
  - (i) in relation to the ninth purpose, for “£10,300,663,000” substitute “£10,367,549,000”;
  - (j) in relation to the tenth purpose, for “£15,697,000” substitute “£15,902,000”;
  - (k) in relation to the eleventh purpose, for “£10,300,000” substitute “£10,371,000”;
  - (l) in relation to the twelfth purpose, for “£2,689,959,000” substitute “£2,373,736,000”; and
  - (m) in relation to the thirteenth purpose, for “£3,700,000” substitute “£3,400,000”.
- (4) In column 4 (amount of accruing resources)—
- (a) in relation to the fourth purpose, for “£68,000,000” substitute “£85,000,000”;
  - (b) in relation to the fifth purpose, for “£2,700,000” substitute “£3,000,000”; and
  - (c) in relation to the sixth purpose, for “£256,000” substitute “£300,000”.

#### **Amendment of schedule 2 to the 2009 Act**

4.—(1) Schedule 2 to the 2009 Act (accruing resources of the Scottish Administration which may be used without individual limit) is amended in accordance with paragraphs (2) to (5).

(2) In Part 1 (First Minister’s portfolio), for the overall amount of “£26,600,000” substitute “£30,000,000”.

(3) In Part 4 (education and lifelong learning portfolio), for the overall amount of “£69,297,000” substitute “£74,000,000”.

(4) In Part 7 (Scottish Executive (administration)), for the overall amount of “£18,200,000” substitute “£27,700,000”.

(5) In Part 11 (Scottish Executive (Scottish teachers’ and NHS pension schemes)), for the overall amount of “£1,500,000,000” substitute “£1,600,000,000”.

#### **Amendment of schedule 3 to the 2009 Act**

5.—(1) Schedule 3 to the 2009 Act (direct-funded bodies) is amended in accordance with paragraph (2).

(2) In column 2 (amount of resources other than accruing resources)—

- (a) in relation to the first purpose, for “£93,800,000” substitute “£85,200,000”; and
- (b) in relation to the fourth purpose, for “£7,279,000” substitute “£7,779,000”.

*JOHN SWINNEY*  
A member of the Scottish Executive

St Andrew’s House,  
Edinburgh  
8th December 2009

## EXPLANATORY NOTE

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

This Order amends the Budget (Scotland) Act 2009 (“the 2009 Act”).

This Order amends the 2009 Act so as to—

- (a) alter the overall cash authorisations in relation to the Scottish Administration, the Forestry Commissioners, the Scottish Parliamentary Corporate Body and Audit Scotland in section 3 of the 2009 Act (article 2);
- (b) alter the second purpose of schedule 1 to the 2009 Act by adding “third sector resilience fund” to it (article 3(2));
- (c) restate the amount of resources other than accruing resources that may be used for certain of the purposes set out in schedule 1 to the 2009 Act (article 3(3));
- (d) restate the amount of accruing resources set out in schedule 1 to the 2009 Act in respect of the fourth to sixth purposes of accruing resources (article 3(4));
- (e) alter the overall amount of accruing resources in Parts 1, 4, 7 and 11 of schedule 2 to the 2009 Act which may be used by portfolios without individual limit (article 4); and
- (f) alter the amount of resources other than accruing resources of direct-funded bodies in schedule 3 to the 2009 Act in relation to the first and fourth purposes (article 5(2)).

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