

2011 No. 148

POLICE

**The Police Grant (Carry-forward Percentages) (Scotland)
Order 2011**

Made - - - - - *21st February 2011*

Laid before the Scottish Parliament *23rd February 2011*

Coming into force in accordance with article 1

The Scottish Ministers make the following Order in exercise of the powers conferred by sections 19(3D), 20, 21(1)(b) and 32(10G) of the Police (Scotland) Act 1967(a) and all other powers enabling them to do so.

In accordance with section 20(1) of that Act, it appears to them that it is expedient in the interests of efficiency to make amalgamation schemes for the combined police areas constituted by the schemes mentioned in paragraph 2 of each of Schedules 1 to 6 of this Order.

Citation and commencement

1.—(1) This Order may be cited as the Police Grant (Carry-forward Percentages) (Scotland) Order 2011 and, subject to paragraph (2), comes into force on 21st March 2011.

(2) Article 3 and the Schedules come into force on 22nd March 2011.

Amendment of the Police (Scotland) Act 1967

2.—(1) The Police (Scotland) Act 1967 is amended in accordance with paragraphs (2) and (3).

(2) In section 19 (schemes for amalgamation of police forces)—

(a) in subsection (3A)(a) for “three per cent.” substitute “four per cent.”; and

(b) in subsection (3C) for “five per cent.” substitute “eight per cent.”.

(3) In section 32 (police grant)—

(a) in subsection (10B) for “three per cent.” substitute “four per cent.”; and

(b) in subsection (10F)(a) and (b) for “five per cent.” substitute “eight per cent.”.

(a) 1967 c.77. Section 19 was amended by the Local Government etc. (Scotland) Act 1994 (c.39) (“the 1994 Act”), section 180(1) and Schedule 13, paragraph 71(5) and Schedule 14; the Crime and Punishment (Scotland) Act 1997 (c.48), section 62(1) and Schedule 1, paragraph 2(4); and the Police and Fire Services (Finance) (Scotland) Act 2001 asp 15 (“the 2001 Act”), section 1(1). Sections 19(3A) to (3F) were inserted by the 2001 Act, section 1(1)(c). Section 20 was substituted by the 1994 Act, section 35. Section 21(1) was substituted by the 1994 Act, section 180(1) and Schedule 13, paragraph 71(7). Sections 32(10A) to (10K) were inserted by the 2001 Act, section 1(2). The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c.46).

Combined Police Area Amalgamation (Amendment) Schemes 2011

3. The amalgamation schemes set out in Schedules 1 to 6 to this Order are hereby made.

St Andrew's House,
Edinburgh
21st February 2011

KENNY MACASKILL
A member of the Scottish Executive

SCHEDULE 1

Article 3

THE CENTRAL SCOTLAND COMBINED POLICE AREA AMALGAMATION (AMENDMENT) SCHEME 2011

Citation and commencement

1. This scheme may be cited as the Central Scotland Combined Police Area Amalgamation (Amendment) Scheme 2011 and comes into force on 22nd March 2011.

Amendment of the Central Scotland Combined Police Area Amalgamation Scheme 1995

2. Paragraph 12 (financial arrangements) of the Central Scotland Combined Police Area Amalgamation Scheme 1995^(a) is amended as follows—

- (a) in sub-paragraph (1B)(a) for “three per cent.” substitute “four per cent.”; and
- (b) in sub-paragraph (1D) for “five per cent.” substitute “eight per cent.”.

^(a) S.I. 1995/2638, amended by S.S.I. 2002/140 and 458.

SCHEDULE 2

Article 3

THE GRAMPIAN COMBINED POLICE AREA AMALGAMATION (AMENDMENT) SCHEME 2011

Citation and commencement

1. This scheme may be cited as the Grampian Combined Police Area Amalgamation (Amendment) Scheme 2011 and comes into force on 22nd March 2011.

Amendment of the Grampian Combined Police Area Amalgamation Scheme 1995

2. Paragraph 12 (financial arrangements) of the Grampian Combined Police Area Amalgamation Scheme 1995^(a) is amended as follows—

- (a) in sub-paragraph (1B)(a) for “three per cent.” substitute “four per cent.”; and
- (b) in sub-paragraph (1D) for “five per cent.” substitute “eight per cent.”.

^(a) S.I. 1995/2639, amended by S.S.I. 2002/140 and 458.

SCHEDULE 3

Article 3

THE LoTHIAN AND BORDERS COMBINED POLICE AREA AMALGAMATION (AMENDMENT) SCHEME 2011

Citation and commencement

1. This scheme may be cited as the Lothian and Borders Combined Police Area Amalgamation (Amendment) Scheme 2011 and comes into force on 22nd March 2011.

Amendment of the Lothian and Borders Combined Police Area Amalgamation Scheme 1995

2. Paragraph 12 (financial arrangements) of the Lothian and Borders Combined Police Area Amalgamation Scheme 1995^(a) is amended as follows—

- (a) in sub-paragraph (1B)(a) for “three per cent.” substitute “four per cent.”; and
- (b) in sub-paragraph (1D) for “five per cent.” substitute “eight per cent.”.

^(a) S.I. 1995/2640, amended by S.S.I. 2002/140 and 458.

SCHEDULE 4

Article 3

THE NORTHERN COMBINED POLICE AREA AMALGAMATION (AMENDMENT) SCHEME 2011

Citation and commencement

1. This scheme may be cited as the Northern Combined Police Area Amalgamation (Amendment) Scheme 2011 and comes into force on 22nd March 2011.

Amendment of the Northern Combined Police Area Amalgamation Scheme 1995

2. Paragraph 12 (financial arrangements) of the Northern Combined Police Area Amalgamation Scheme 1995^(a) is amended as follows—

- (a) in sub-paragraph (1B)(a) for “three per cent.” substitute “four per cent.”; and
- (b) in sub-paragraph (1D) for “five per cent.” substitute “eight per cent.”.

^(a) S.I. 1995/2641, amended by S.S.I. 2002/140 and 458.

SCHEDULE 5

Article 3

THE STRATHCLYDE COMBINED POLICE AREA AMALGAMATION (AMENDMENT) SCHEME 2011

Citation and commencement

1. This scheme may be cited as the Strathclyde Combined Police Area Amalgamation (Amendment) Scheme 2011 and comes into force on 22nd March 2011.

Amendment of the Strathclyde Combined Police Area Amalgamation Scheme 1995

2. Paragraph 12 (financial arrangements) of the Strathclyde Combined Police Area Amalgamation Scheme 1995^(a) is amended as follows—

- (a) in sub-paragraph (1B)(a) for “three per cent.” substitute “four per cent.”; and
- (b) in sub-paragraph (1D) for “five per cent.” substitute “eight per cent.”.

^(a) S.I. 1995/2642, amended by S.S.I. 2002/140 and 458.

SCHEDULE 6

Article 3

THE TAYSIDE COMBINED POLICE AREA AMALGAMATION (AMENDMENT) SCHEME 2011

Citation and commencement

1. This scheme may be cited as the Tayside Combined Police Area Amalgamation (Amendment) Scheme 2011 and comes into force on 22nd March 2011.

Amendment of the Tayside Combined Police Area Amalgamation Scheme 1995

2. Paragraph 12 (financial arrangements) of the Tayside Combined Police Area Amalgamation Scheme 1995^(a) is amended as follows—

- (a) in sub-paragraph (1B)(a) for “three per cent.” substitute “four per cent.”; and
- (b) in sub-paragraph (1D) for “five per cent.” substitute “eight per cent.”.

(a) S.I. 1995/2643, amended by S.S.I. 2002/140 and 458.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends sections 19 and 32 of the Police (Scotland) Act 1967 to increase the percentage of unspent police funds that can be carried forward by joint police boards and unitary police authorities from one financial year to the next.

Article 2(2) amends section 19(3A) and (3C) to increase the percentages from three per cent. to four per cent. and from five per cent. to eight per cent. respectively. Article 2(3) makes similar amendments to section 32(10B) and (10F).

To give effect to those provisions article 3 of this Order also makes the six Combined Police Area Amalgamation (Amendment) Schemes 2011 set out in Schedules 1 to 6 (“the 2011 Schemes”).

The 2011 Schemes amend the provisions of—

- (a) the Central Scotland Combined Police Area Amalgamation Scheme 1995;
- (b) the Grampian Combined Police Area Amalgamation Scheme 1995;
- (c) the Lothian and Borders Combined Police Area Amalgamation Scheme 1995;
- (d) the Northern Combined Police Area Amalgamation Scheme 1995;
- (e) the Strathclyde Combined Police Area Amalgamation Scheme 1995; and
- (f) the Tayside Combined Police Area Amalgamation Scheme 1995

(“the 1995 Schemes”).

Paragraph 12 of each of the 1995 Schemes is amended so that the joint police boards may carry forward the increased

percentages which are substituted by article 2 of this Order.

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