STATUTORY INSTRUMENTS

2014 No. 3250 (C. 147)

CONSTITUTIONAL LAW

DEVOLUTION, SCOTLAND

The Scotland Act 2012 (Commencement No. 4) Order 2014

Made - - - - 8th December 2014

The Treasury make the following Order in exercise of the powers conferred by section 44(4) of the Scotland Act 2012(**a**):

Citation

1. This Order may be cited as the Scotland Act 2012 (Commencement No. 4) Order 2014.

Appointed Day

2. The day appointed for the coming into force of section 32 (borrowing by the Scottish Ministers) of the Scotland Act 2012 is 12th December 2014.

Mark Lancaster
Gavin Barwell
Two of the Lords Commissioners of Her Majesty's Treasury

8th December 2014

EXPLANATORY NOTE

(This note is not part of the Order)

Article 2 of this Order commences section 32 of the Scotland Act 2012 (c.11) (the "2012 Act") on 12th December 2014. This section amends sections 66 and 67 of the Scotland Act 1998 (c.46) to revise the circumstances under which the Scottish Ministers may borrow and set out the main controls and limits on such borrowing. These amendments enable the Scottish Ministers to borrow - subject to HM Treasury's controls and limits - for the following purposes:

(a) to meet a 'temporary excess of sums paid out of the Scottish Consolidated Fund (SCF) over the sums paid into the fund' – this means that the Scottish Government can borrow to manage excessive in-year volatility of receipts, where actual income differs greatly from the forecast receipts for that month;

(b) to provide a working balance to the SCF, i.e. enough balance to ensure cash-flow;

(**a**) 2012 c. 11.

(c) to meet the differences between forecast and outturn receipts for devolved taxes or from income tax charged by virtue of a Scottish rate resolution; and

(d) to fund capital expenditure.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The following provisions of the 2012 Act have been brought into force by commencement order made before the date of this Order:

Provision	*Date of Commencement*	*S.I No.*
Sections 4 and 5	3rd July 2012	2012/1710
Section 6	15th October 2012	2012/1710
Section 7	3rd July 2012	2012/1710
Section 8	31st October 2012	2012/2516
Sections 9 and 10	3rd July 2012	2012/1710
Section 12	3rd July 2012	2012/1710
Section 13	31st October 2012	2012/2516
Sections 14 to 16	3rd July 2012	2012/1710
Section 17	31st October 2012	2012/2516
Section 18	1st August 2012	2012/2516
Section 19	31st October 2012	2012/2515
Sections 34 to 38	22nd April 2013	2013/6
Section 39	31st October 2012	2012/2516

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