SCOTTISH STATUTORY INSTRUMENTS

2002 No. 140

POLICE

The Combined Police Area Amalgamation Schemes 1995 (Amendment) (Scotland) Order 2002

Made - - - -	*22nd March 2002*
Laid before the Scottish Parliament - - - -	*22nd March 2002*
Coming into force - -	*31st March 2002*

WHEREAS in pursuance of section 21B of the Police (Scotland) Act 1967(**1**)–

(a) the Central Scotland Combined Police Area Amalgamation Scheme 1995, as set out in the Schedule to the Central Scotland Combined Police Area Amalgamation Scheme Order 1995(**2**), amalgamated, for police purposes, the police areas for the local government areas of Stirling, Clackmannanshire and Falkirk into a combined police area called the Central Scotland combined police area;

(b) the Grampian Combined Police Area Amalgamation Scheme 1995, as set out in the Schedule to the Grampian Combined Police Area Amalgamation Scheme Order 1995(**3**), amalgamated, for police purposes, the police areas for the local government areas of Aberdeenshire, Moray and Aberdeen City into a combined police area called the Grampian combined police area;

(c) the Lothian and Borders Combined Police Area Amalgamation Scheme 1995, as set out in the Schedule to the Lothian and Borders Combined Police Area Amalgamation Scheme Order 1995(**4**), amalgamated, for police purposes, the police areas for the local government areas of City of Edinburgh, East Lothian, Midlothian, West Lothian and Scottish Borders into a combined police area called the Lothian and Borders combined police area;

(d) the Northern Combined Police Area Amalgamation Scheme 1995, as set out in the Schedule to the Northern Combined Police Area Amalgamation Scheme Order 1995(**5**), amalgamated, for police purposes, the police areas for the local government areas of Highland, Orkney Islands, Shetland Islands and Western Isles into a combined police area called the Northern combined police area;

(e) the Strathclyde Combined Police Area Amalgamation Scheme 1995, as set out in the Schedule to the Strathclyde Combined Police Area Amalgamation Scheme Order(**6**),

(**1**) 1967 c. 77; section 21B was inserted by the Local Government etc. (Scotland) Act 1994 (c. 39) ("the 1994 Act"), section 34.
(**2**) S.I. 1995/2638.
(**3**) S.I. 1995/2639.
(**4**) S.I. 1995/2640.
(**5**) S.I. 1995/2641.
(**6**) S.I. 1995/2642.

amalgamated, for police purposes, the police areas for the local government areas of Argyll and Bute, Dumbarton and Clydebank, City of Glasgow, East Dunbartonshire, Inverclyde, North Lanarkshire, South Lanarkshire, Renfrewshire, East Renfrewshire, East Ayrshire, North Ayrshire and South Ayrshire into a combined police area called the Strathclyde combined police area; and

(f) the Tayside Combined Police Area Amalgamation Scheme 1995, as set out in the Schedule to the Tayside Combined Police Area Amalgamation Scheme Order 1995(**7**), amalgamated, for police purposes, the police areas for the local government areas of Perthshire and Kinross, Angus and Dundee City into a combined police area called the Tayside combined police area;

AND WHEREAS it appears to the Scottish Ministers that it is expedient in the interests of efficiency to make amalgamation schemes for the purposes of amending the schemes referred to in paragraphs (a) to (f) above under sections 20 and 21(1)(b) of the said Act of 1967(**8**);

NOW, THEREFORE, the Scottish Ministers, in exercise of the powers conferred by sections 20 and 21(1)(b) of the said Act of 1967(**9**) and of all other powers enabling them in that behalf, hereby make the following Order:

Citation and commencement

1. This Order may be cited as the Combined Police Area Amalgamation Schemes 1995 (Amendment) (Scotland) Order 2002 and shall come into force on 31st March 2002.

The Combined Police Area Amalgamation (Amendment) Schemes 2002

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

St Andrew's House,Edinburgh
22nd March 2002

JAMES WALLACE
A member of the Scottish Executive

(**7**) S.I. 1995/2643.
(**8**) Section 20 was substituted by the 1994 Act, section 35; section 21 was amended by the 1994 Act, Schedule 13, paragraph 71(7)(a).
(**9**) 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).

SCHEDULE 1 Article 2

THE CENTRAL SCOTLAND COMBINED POLICE AREA AMALGAMATION (AMENDMENT) SCHEME 2002

Citation and commencement

1. This scheme may be cited as the Central Scotland Combined Police Area Amalgamation (Amendment) Scheme 2002 and shall come into operation on 31st March 2002.

Amendment of the Central Scotland Combined Police Area Amalgamation Scheme 1995

2. The Central Scotland Combined Police Area Amalgamation Scheme 1995 is amended as follows:–

(a) in paragraph 5(3) omit "3 yearly";

(b) in paragraph 6(3) at the beginning insert "Subject to sub-paragraph (4) below,";

(c) in paragraph 7(2) for "next 3 yearly appointment of members of the board" substitute "next appointment of members of the board in terms of paragraph 5(3) of this scheme"; and

(d) in paragraph 12–

(i) in sub-paragraph (1) for "The expenditure of the board" substitute "The expenditure which the board estimates will be incurred"; and

(ii) after sub-paragraph (1) insert–

"(1A) Subject to sub-paragraph (1B) below, the board may carry-forward from one financial year (the "carry-forward year") to the next any money it receives from the constituent authorities under sub-paragraph (1) above which remains unspent at the end of the carry-forward year.

(1B) Any money carried forward under sub-paragraph (1A) above–

(a) in respect of the carry-forward year, shall not exceed three per cent. of the total of the money paid to the board by the constituent authorities in respect of the carry-forward year; and

(b) in the case mentioned in sub-paragraph (1C) below, shall be carried forward only with the consent of the Scottish Ministers.

(1C) The case referred to in sub-paragraph (1B) above is where–

(a) any money carried forward from previous carry-forward years–

(i) under sub-paragraph (1A) above; and

(ii) under section 32(10A) of the Act(**10**),

and remaining unspent at the end of the carry-forward year;

(b) the money carried forward under sub-paragraph (1A) above; and

(c) any money carried forward under section 32(10A) of the Act,

would, taken together, amount to more than the maximum sum mentioned in sub-paragraph (1D) below.

(1D) The maximum sum referred to in sub-paragraph (1C) above, in relation to a carry-forward year, means the amount equal to five per cent. of the sum of–

(a) the total amount of grant made under section 32 of the Act to the board in respect of that year; and

(**10**) Section 32(10A) was inserted by the Police and Fire Services (Finance) (Scotland) Act 2001 (asp15).

(b) the total amount of money paid to the board by the constituent authorities in respect of that year.".

SCHEDULE 2 Article 2

THE GRAMPIAN COMBINED POLICE AREA AMALGAMATION (AMENDMENT) SCHEME 2002

Citation and commencement

1. This scheme may be cited as the Grampian Combined Police Area Amalgamation (Amendment) Scheme 2002 and shall come into operation on 31st March 2002.

Amendment of the Grampian Combined Police Area Amalgamation Scheme 1995

2. The Grampian Combined Police Area Amalgamation Scheme 1995 is amended as follows:–

(a) in paragraph 5(3) omit "3 yearly";

(b) in paragraph 6(3) at the beginning insert "Subject to sub-paragraph (4) below,";

(c) in paragraph 7(2) for "next 3 yearly appointment of members of the board" substitute "next appointment of members of the board in terms of paragraph 5(3) of this scheme"; and

(d) in paragraph 12–

(i) in sub-paragraph (1) for "The expenditure of the board" substitute "The expenditure which the board estimates will be incurred"; and

(ii) after sub-paragraph (1) insert–

"(1A) Subject to sub-paragraph (1B) below, the board may carry-forward from one financial year (the "carry-forward year") to the next any money it receives from the constituent authorities under sub-paragraph (1) above which remains unspent at the end of the carry-forward year.

(1B) Any money carried forward under sub-paragraph (1A) above–

(a) in respect of the carry-forward year, shall not exceed three per cent. of the total of the money paid to the board by the constituent authorities in respect of the carry-forward year; and

(b) in the case mentioned in sub-paragraph (1C) below, shall be carried forward only with the consent of the Scottish Ministers.

(1C) The case referred to in sub-paragraph (1B) above is where–

(a) any money carried forward from previous carry-forward years–

(i) under sub-paragraph (1A) above; and

(ii) under section 32(10A) of the Act,

and remaining unspent at the end of the carry-forward year;

(b) the money carried forward under sub-paragraph (1A) above; and

(c) any money carried forward under section 32(10A) of the Act,

would, taken together, amount to more than the maximum sum mentioned in sub-paragraph (1D) below.

(1D) The maximum sum referred to in sub-paragraph (1C), in relation to a carry-forward year, means the amount equal to five per cent. of the sum of–

(a) the total amount of grant made under section 32 of the Act to the board in respect of that year; and

(b) the total amount of money paid to the board by the constituent authorities in respect of that year.".

SCHEDULE 3

Article 2

THE LOTHIAN AND BORDERS COMBINED POLICE AREA AMALGAMATION (AMENDMENT) SCHEME 2002

Citation and commencement

1. This scheme may be cited as the Lothian and Borders Combined Police Area Amalgamation (Amendment) Scheme 2002 and shall come into operation on 31st March 2002.

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

2. The Lothian and Borders Combined Police Area Amalgamation Scheme 1995 is amended as follows:–

(a) in paragraph 5(3) omit "3 yearly";

(b) in paragraph 6(3) at the beginning insert "Subject to sub-paragraph (4) below,";

(c) in paragraph 7(2) for "next 3 yearly appointment of members of the board" substitute "next appointment of members of the board in terms of paragraph 5(3) of this scheme"; and

(d) in paragraph 12–

(i) in sub-paragraph (1) for "The expenditure of the board" substitute "The expenditure which the board estimates will be incurred"; and

(ii) after sub-paragraph (1) insert–

"(1A) Subject to sub-paragraph (1B) below, the board may carry-forward from one financial year (the "carry-forward year") to the next any money it receives from the constituent authorities under sub-paragraph (1) above which remains unspent at the end of the carry-forward year.

(1B) Any money carried forward under sub-paragraph (1A) above–

(a) in respect of the carry-forward year, shall not exceed three per cent. of the total of the money paid to the board by the constituent authorities in respect of the carry-forward year; and

(b) in the case mentioned in sub-paragraph (1C) below, shall be carried forward only with the consent of the Scottish Ministers.

(1C) The case referred to in sub-paragraph (1B) above is where–

(a) any money carried forward from previous carry-forward years–

(i) under sub-paragraph (1A) above; and

(ii) under section 32(10A) of the Act,

and remaining unspent at the end of the carry-forward year;

(b) the money carried forward under sub-paragraph (1A) above; and