



Climate Change (Emissions Reduction Targets) (Scotland) Act 2019

2019 asp 15

PART 1

EMISSIONS REDUCTION TARGETS

The 2050 and interim targets

4 Modification of the interim targets

After section 2 of the 2009 Act, insert—

“2A Modification of the interim targets

- (1) The Scottish Ministers may by regulations modify one or more of the percentage figures applying for the purposes of any of the interim targets, so as to substitute a higher or lower figure for the one for the time being mentioned in section 2(1)(a), (b) or (c).
- (2) But regulations under subsection (1) may not substitute a lower percentage figure for an interim target if that figure is—
 - (a) inconsistent with the most up-to-date advice the Scottish Ministers have received from the relevant body,
 - (b) not, in that advice, stated to be appropriate on the basis of either scientific knowledge about climate change or current international carbon reporting practice (or both),
 - (c) lower than any percentage figure applying, immediately after the regulations come into force, for an interim target for an earlier year, or
 - (d) lower than 100% for a year which is the same as, or later than, the net-zero emissions target year.
- (3) In preparing a draft of regulations to be made under subsection (1), the Scottish Ministers must have regard to—
 - (a) the target-setting criteria, and

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- (b) the most up-to-date advice they have received from the relevant body.
- (4) Subsection (5) applies if—
- (a) the Scottish Ministers lay before the Scottish Parliament for approval a draft of regulations under section A1(3) which modify the net-zero emissions target year to a year earlier than 2045, and
 - (b) any percentage figure applying for the purposes of any interim target for a year which is the same as or later than the proposed net-zero emissions target year, is lower than 100%.
- (5) The Scottish Ministers must, at the same time as or as soon as reasonably practicable after laying the regulations mentioned in subsection (4)(a), lay before the Scottish Parliament for approval a draft of regulations under subsection (1) which modify to 100% a percentage figure mentioned in subsection (4)(b).
- (6) As soon as reasonably practicable after laying for approval a draft of regulations to be made under subsection (1), the Scottish Ministers must publish a statement setting out in respect of each proposed modification of a percentage figure by the regulations—
- (a) their reasons for proposing to modify the percentage figure,
 - (b) the extent to which the proposed modification takes account of the target-setting criteria, and
 - (c) whether the proposed modification is consistent with the most up-to-date advice they have received from the relevant body.”.

Commencement Information

II S. 4 in force at 23.3.2020 by S.S.I. 2020/66, reg. 2

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