



2022 CHAPTER 31

PART 6

Supplementary

Regulation-making powers: restrictions and considerations

Regulations that amend or add an emissions target or amend a carbon budget

54.—(1) This section applies in relation to the making of regulations, under any provision of this Act, that—

- (a) amend an emissions target or add a new target in relation to emissions, or
- (b) amend a carbon budget.

(2) The Department may make such regulations only if—

- (a) it is satisfied that it is appropriate to do so as a result of significant developments in one or more of the following matters—
 - (i) United Kingdom or international law or policy relating to climate change;
 - (ii) scientific knowledge about climate change;
 - (iii) technology relevant to climate change; or
- (b) the provision made by the regulations—
 - (i) has been recommended by the Committee on Climate Change, or
 - (ii) is not substantially different from provision that has been recommended by the Committee.

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

(3) When making such regulations, the Department must have regard to the following matters—

- (a) United Kingdom and international law or policy relating to climate change,
- (b) scientific knowledge about climate change,
- (c) technology relevant to climate change, and
- (d) the views of the Northern Ireland Climate Commissioner and the Just Transition Commission.

(4) But if the Department is satisfied that it is appropriate to make the regulations as a result of significant developments in a matter listed in subsection (2)(a) the Department is not also required by subsection (3) to have separate regard to that matter.

Regulations that specify a different baseline year or change a budgetary period

55.—(1) This section applies in relation to the making of regulations, under any provision of this Act, that—

- (a) specify a different baseline year for a greenhouse gas, or
- (b) change a budgetary period.

(2) The Department may make such regulations only if it is satisfied that it is appropriate to do so as a result of significant developments in United Kingdom or international law or policy relating to climate change.