

Draft Regulations laid before the Scottish Parliament under section 96(4) of the Climate Change (Scotland) Act 2009, for approval by resolution of the Scottish Parliament.

DRAFT SCOTTISH STATUTORY INSTRUMENTS

2023 No.

CLIMATE CHANGE

**The Climate Change (Scotland) Act 2009
(Interim Target) Amendment Regulations 2023**

Made - - - - 2023
Coming into force - - 31st May 2023

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 2A(1) of the Climate Change (Scotland) Act 2009⁽¹⁾ and all other powers enabling them to do so.

In accordance with section 2A(3) of that Act, the Scottish Ministers have had regard to the target-setting criteria⁽²⁾ and the most up-to-date advice they have received from the relevant body⁽³⁾.

In accordance with section 96(4) of that Act, a draft of this instrument has been laid before, and approved by the resolution of, the Scottish Parliament.

Citation and commencement

1. These Regulations may be cited as the Climate Change (Scotland) Act 2009 (Interim Target) Amendment Regulations 2023 and come into force on 31 May 2023.

Amendment of the Climate Change (Scotland) Act 2009

2. In section 2(1)(a) of the Climate Change (Scotland) Act 2009 (the interim targets)⁽⁴⁾, for “56%” substitute “48.5%”.

(1) 2009 asp 12. Section 2A of the Climate Change (Scotland) Act 2009 (“the 2009 Act”) was inserted by section 4 of the Climate Change (Emissions Reduction Targets) (Scotland) Act 2019 (asp 15) (“the 2019 Act”).

(2) Section 2B of the 2009 Act defines the “target-setting criteria” for the purposes of that Act. Section 2B was inserted by section 5 of the 2019 Act.

(3) Section 20(A) of the 2009 Act defines the “relevant body” for the purposes of Part 1 of the 2009 Act. Section 20A was inserted by paragraph 5 of the schedule of the 2019 Act.

(4) Section 2 of the 2009 Act was substituted by section 3 of the 2019 Act.

Draft Legislation: This is a draft item of legislation. This draft has since been made as a Scottish Statutory
Instrument: The Climate Change (Scotland) Act 2009 (Interim Target) Amendment Regulations 2023 No. 164

St Andrew's House,
Edinburgh
Date

Name
A member of the Scottish Government

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Climate Change (Scotland) Act 2009 (“the 2009 Act”). Section 2(1) of the 2009 Act (the interim targets) imposes a duty on the Scottish Ministers to ensure that the net Scottish emissions accounts for the years 2020, 2030 and 2040 are, respectively, at least 56%, 75% and 90% lower than the baseline (as defined by section 11(1) of the 2009 Act).

Regulation 2 amends section 2(1)(a) of the 2009 Act by modifying the percentage figure specified for the 2020 interim target. The 2020 interim target is modified from 56% to 48.5%. This modification has the effect of adjusting the annual target figures for 2021 to 2029 in accordance with section 3(2) of the 2009 Act (annual targets: 2021 to year before net-zero year).

A full impact assessment has not been produced for this instrument as no impact upon business, charities or voluntary bodies is foreseen.