



## 2022 CHAPTER 31

### PART 1

#### Emissions Targets And Sectoral Plans

##### *Meaning of underlying concepts*

##### **Meaning of “net Northern Ireland emissions”**

**9.—(1)** The amount of net Northern Ireland emissions of a greenhouse gas for a period is—

- (a) the amount of Northern Ireland emissions of the gas for the period (see subsection (2)),  
minus
- (b) the amount of Northern Ireland removals of the gas for the period (see subsection (3)).

**(2)** The Northern Ireland emissions of a gas for a period are—

- (a) emissions of the gas from sources in Northern Ireland in the period, and
- (b) emissions of the gas from international aviation or international shipping that count as Northern Ireland emissions for the period (as determined by regulations under section 10).

**(3)** The Northern Ireland removals of a gas for a period are removals of the gas from the atmosphere in the period due to—

- (a) land use in Northern Ireland;
- (b) land-use change in Northern Ireland;
- (c) forestry activities in Northern Ireland; and

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(d) the use of carbon capture and storage technology in Northern Ireland.

(4) The Department may by regulations amend subsection (3) so as to amend the definition of Northern Ireland removals.

(5) The amounts of Northern Ireland emissions and Northern Ireland removals of a gas for a period must be determined consistently with international carbon reporting practice (see section 63).

### **Meaning of “Northern Ireland emissions”: international aviation and shipping**

**10.—**(1) The Department may by regulations make provision for emissions of a greenhouse gas from international aviation or international shipping to count as Northern Ireland emissions of the gas.

(2) The regulations may—

- (a) specify activities which are to be regarded as international aviation or international shipping;
- (b) specify the circumstances in which, and the extent to which, emissions of a greenhouse gas from international aviation or international shipping are to count as Northern Ireland emissions of that gas;
- (c) specify the period (whether past or future) for which emissions of a greenhouse gas from international aviation or international shipping are to count as Northern Ireland emissions of that gas;
- (d) make provision about how emissions of a greenhouse gas from international aviation or international shipping are to be taken into account in determining Northern Ireland emissions of that gas for the year specified in section 7(1) in relation to it.

### **Crediting and debiting of carbon units**

**11.—**(1) The Department may by regulations make provision about—

- (a) the circumstances in which carbon units may or may not be credited to the net Northern Ireland emissions account for a period,
- (b) the circumstances in which carbon units may or may not be debited from that account for a period, and
- (c) how that is to be done.

Section 59 explains what a “carbon unit” is.

(2) The regulations must contain provision for ensuring that carbon units that are credited to the net Northern Ireland emissions account for a period cease to be available to offset other greenhouse gas emissions.

(3) The regulations must set a limit on the net amount of carbon units by which the net Northern Ireland emissions account for a period may be reduced as a

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result of applying provision made under subsection (1)(a) and (b); and that limit must not be greater than 25% of the aggregate amount of net Northern Ireland emissions of each greenhouse gas for that period (as determined in accordance with sections 9 and 10).

(4) The regulations may provide that carbon units of a description specified in the regulations do not count towards the limit.

(5) The regulations may make provision about the crediting of carbon units to, and the debiting of carbon units from, the net Northern Ireland emissions account for carbon dioxide for 2050.

(6) The amount of carbon units that are to be credited to the net Northern Ireland emissions account for carbon dioxide for 2050 must not be greater than—

$$\text{Total credits} \quad \times \quad \frac{\text{CO}_2 \text{ emissions}}{\text{Total emissions}}$$

(7) If—

(a) carbon units are credited to the net Northern Ireland emissions account for carbon dioxide for 2050, and

(b) carbon units are debited from the net Northern Ireland emissions account for 2050,

carbon units must be debited from the net Northern Ireland emissions account for carbon dioxide for 2050; and the amount of carbon units so debited must not be less than—

$$\text{Total debits} \quad \times \quad \frac{\text{CO}_2 \text{ emissions}}{\text{Total emissions}}$$

(8) In subsections (6) and (7)—

“Total credits” is the amount of carbon units that are credited to the net Northern Ireland emissions account for 2050;

“Total debits” is the amount of carbon units that are debited from the net Northern Ireland emissions account for 2050;

“CO<sub>2</sub> emissions” is the amount of net Northern Ireland emissions of carbon dioxide for 2050;

“Total emissions” is the aggregate amount of net Northern Ireland emissions of each greenhouse gas for 2050.

### **Carbon units: accounting scheme**

**12.—**(1) The Department may by regulations make provision for a scheme—

(a) for registering or otherwise keeping track of carbon units, or

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- (b) for establishing and maintaining accounts in which carbon units may be held, and between which they may be transferred, by the Department.
- (2) The regulations may provide for an existing scheme to be adapted for those purposes.
- (3) The regulations may—
  - (a) appoint a person or body (an “administrator”) to administer the scheme, or provide that the Department is to do so;
  - (b) establish a body for the purpose of administering the scheme and make provision in relation to the appointment of members, staffing, expenditure and procedure of that body;
  - (c) confer or impose functions on the administrator for the purpose of administering the scheme;
  - (d) confer power on the Department to give guidance or directions to the administrator;
  - (e) require the payment by persons using the scheme of charges (of an amount determined by or under the regulations) towards the cost of operating it.
- (4) If regulations adapt an existing scheme or appoint an existing person to administer the scheme, the regulations may amend any statutory provision relating to the existing scheme or existing person.