

POLICY NOTE

THE CLIMATE CHANGE (ADDITIONAL GREENHOUSE GAS) (SCOTLAND) ORDER 2015

SSI 2015/xxx

The above instrument is made in exercise of the powers conferred on the Scottish Ministers by sections 10(2)(a), 12(3) and 96(3) of the Climate Change (Scotland) Act 2009 and by all other enabling powers. The instrument is subject to affirmative procedure.

Policy Objectives

This Order adds nitrogen trifluoride (NF₃) to the list of greenhouse gases covered by the Climate Change (Scotland) Act 2009, and designates 1995 as the baseline year against which progress to reduce emissions will be measured. This will ensure consistency with international agreements.

Background

The Climate Change (Scotland) Act 2009 creates a long-term framework to reduce Scotland's greenhouse gas emissions by at least 80 per cent by 2050 and defines the greenhouse gases covered by the Act. The Scottish Ministers may, if they consider it appropriate to do so, add a gas by order if it appears that an agreement or arrangement at European or international level recognises that the gas to be added contributes to climate change, and advice is requested from the Committee on Climate Change.

NF₃ is recognised as a gas which contributes to climate change in the 2006 IPCC Guidelines for National Greenhouse Gas Inventories, as adopted by the international Conference of the Parties to the United Nations Framework Convention on Climate Change in decision 24/CP.19¹.

Consultation

There is no statutory obligation to consult on this Order. However, Scottish Ministers must seek advice from the UK Committee on Climate Change (CCC) before a gas can be added to the list of targeted greenhouse gases under the Act.

The Scottish Ministers requested advice from the CCC whose advice² indicates that NF₃ should be included in the list of targeted greenhouse gases under the Climate Change (Scotland) Act 2009. The CCC has advised that 1995 is an appropriate base year and that, as Scotland's emissions of NF₃ are small, inclusion of NF₃ in Scotland's accounting will not require any changes to the legislated emissions reduction targets.

¹ <http://unfccc.int/resource/docs/2013/cop19/eng/10a03.pdf#page=2>

² <http://www.theccc.org.uk/publication/letter-inclusion-of-nitrogen-trifluoride-in-the-climate-change-scotland-act-2009-targeted-gases/>

Impact Assessments

No equality impact assessment has been prepared for this instrument as there are no equalities impact issues.

Financial Effects

A Business and Regulatory Impact Assessment (BRIA) is not required as the instrument will not, in itself, impose new regulatory burdens on businesses, charities or the voluntary sector.

Scottish Government
Energy and Climate Change Directorate
March 2015