

**2020 No. 281**

**CLIMATE CHANGE**

**The Climate Change (Duties of Public Bodies: Reporting Requirements) (Scotland) Amendment Order 2020**

*Made* - - - - *11th September 2020*  
*Laid before the Scottish Parliament* *14th September 2020*  
*Coming into force* - - *9th November 2020*

The Scottish Ministers make the following Order in exercise of the powers conferred by sections 46(1) and 96(2) of the Climate Change (Scotland) Act 2009(a) and all other powers enabling them to do so.

**Citation and commencement**

1. This Order may be cited as the Climate Change (Duties of Public Bodies: Reporting Requirements) (Scotland) Amendment Order 2020 and comes into force on 9 November 2020.

**Amendment of the Climate Change (Duties of Public Bodies: Reporting Requirements) (Scotland) Order 2015**

2.—(1) The Climate Change (Duties of Public Bodies: Reporting Requirements) (Scotland) Order 2015(b) is amended as follows.

(2) In schedule 1 (listed bodies)—

- (a) after “The Crofting Commission”, insert “Crown Estate Scotland”,
- (b) after “The Scottish Further and Higher Education Funding Council”, insert “The Scottish Land Commission”.

(3) In schedule 2 (report on compliance with climate change duties)—

- (a) in paragraph 3(d) (targets)—
  - (i) after “Where applicable,” insert “targets for reducing indirect emissions of greenhouse gases,”,
  - (ii) after “should be included.”, insert “Where applicable, you should also provide the body’s target date for achieving zero direct emissions of greenhouse gases, or such other targets that demonstrate how the body is contributing to Scotland achieving its emissions reduction targets.”,

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(a) 2009 asp 12. In section 46(1), “relevant public body” has the meaning given by section 44(5) of the Climate Change (Scotland) Act 2009 (“the Act”). A “relevant public body” is a Scottish public authority (within the meaning of section 3(1)(a) of the Freedom of Information (Scotland) Act 2002 (asp 13)) which has climate change duties under section 44(1) or by virtue of section 44(3) of the Act.

(b) S.S.I. 2015/347, amended by paragraph 10 of schedule 2 of the South of Scotland Enterprise Act 2019 and S.S.I. 2019/336.

(b) after paragraph 3(d), insert—

“ **3(da) How will the body align its spending plans and use of resources to contribute to reducing emissions and delivering its emissions reduction targets?**

Provide any other relevant supporting information.

**3(db) How will the body publish, or otherwise make available, its progress towards achieving its emissions reduction targets?**

Provide any other relevant supporting information. In the event that the body wishes to refer to information already published, provide information about where the publication can be accessed.

(c) in paragraph 4(c) (action taken to adapt to climate change), after “implement action.”, insert “The body may wish to make reference to the Scottish Climate Change Adaptation Programme(a) (“the Programme”).”,

(d) for paragraph 4(d) (progress in delivering certain policies and proposals) substitute—

“ **4(d) Where applicable, what contribution has the body made to helping deliver the Programme?**

Provide any other relevant supporting information.

## Savings

**3.—(1)** The amendments made by this Order do not apply to the report year ending on 31 March 2021.

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(a) This refers to the programme for adaptation to climate change laid before the Scottish Parliament under section 53(2) of the Climate Change (Scotland) Act 2009 (asp 12) which currently has effect. The most recent version is entitled “*Climate Ready Scotland: Second Scottish Climate Change Adaptation Programme 2019-2024*” (ISBN 978-1-83960-121-7) and was published by the Scottish Government in September 2019. An electronic copy is available at: <https://www.gov.scot/isbn/9781839601217>.

(2) In paragraph (1), “report year” has the meaning given by article 2 of the Climate Change (Duties of Public Bodies: Reporting Requirements) (Scotland) Order 2015.

St Andrew’s House,  
Edinburgh  
11th September 2020

*R CUNNINGHAM*  
A member of the Scottish Government

## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order updates the list of public bodies in schedule 1 of the Climate Change (Duties of Public Bodies: Reporting Requirements) (Scotland) Order 2015. Bodies listed in that schedule are required to prepare reports on compliance with climate change duties imposed under (or by virtue of) section 44 of the Climate Change (Scotland) Act 2009.

This Order also amends the type of information to be included within each report, a copy of which must be sent to the Scottish Ministers, by adding a requirement that, where applicable, public bodies must report on their progress in delivering their emissions reduction targets. Article 2(3)(c) makes reference to the programme for adaptation to climate change laid before the Scottish Parliament under section 53(2) of the Climate Change (Scotland) Act 2009. The most recent version is entitled “Climate Ready Scotland: Second Scottish Adaptation Programme 2019-2024” (ISBN 978-1-83960-121-7), which was published by the Scottish Government in September 2019. An electronic copy of that version is available at: <https://www.gov.scot/isbn/9781839601217>.

Article 3 contains a savings provision, the effect of which is that the amendments made by this Order do not apply to the report year ending on 31 March 2021.

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