



Climate Change Act 2008

CHAPTER 27

CLIMATE CHANGE ACT 2008

PART 1

CARBON TARGET AND BUDGETING

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- 1 The target for 2050
- 2 Amendment of 2050 target or baseline year
- 3 Consultation on order amending 2050 target or baseline year

Carbon budgeting

- 4 Carbon budgets
- 5 Level of carbon budgets
- 6 Amendment of target percentages
- 7 Consultation on order setting or amending target percentages
- 8 Setting of carbon budgets for budgetary periods
- 9 Consultation on carbon budgets
- 10 Matters to be taken into account in connection with carbon budgets

Limit on use of carbon units

- 11 Limit on use of carbon units

Indicative annual ranges

- 12 Duty to provide indicative annual ranges for net UK carbon account

Proposals and policies for meeting carbon budgets

- 13 Duty to prepare proposals and policies for meeting carbon budgets

Status: Point in time view as at 04/04/2011.

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- 14 Duty to report on proposals and policies for meeting carbon budgets
- 15 Duty to have regard to need for UK domestic action on climate change

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- 17 Powers to carry amounts from one budgetary period to another
- 18 Final statement for budgetary period
- 19 Duty to report on proposals and policies for compensating for budget excess
- 20 Final statement for 2050

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- 21 Alteration of carbon budgets
- 22 Consultation on alteration of carbon budgets
- 23 Alteration of budgetary periods

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- 24 Targeted greenhouse gases
- 25 Base years for targeted greenhouse gases other than CO₂

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- 35 Advice on emissions from international aviation and international shipping
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- 37 Response to Committee's reports on progress
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67 Directions by Welsh Ministers to prepare reports

68 Compliance with Welsh Ministers' directions

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Interpretation

- 92 Meaning of “greenhouse gas”
- 93 Measurement of emissions etc by reference to carbon dioxide equivalent
- 94 Meaning of “international carbon reporting practice”
- 95 Meaning of “national authority”
- 96 Meaning of “relevant Northern Ireland department”
- 97 Minor definitions
- 98 Index of defined expressions

Final provisions

- 99 Extent
- 100 Commencement
- 101 Short title

SCHEDULES

SCHEDULE 1 — The Committee on Climate Change

Membership

- 1 (1) The Committee shall consist of— (a) a person appointed...
- 2 The national authorities may, after consulting the chair, appoint one...

Term of office

- 3 A member holds and vacates office in accordance with the...
- 4 A member may resign by giving written notice to the...
- 5 The national authorities may remove a member—
- 6 A person ceases to be the chair or the deputy...
- 7 A person who— (a) ceases to be a member, or...

Remuneration and pensions etc

- 8 The Committee may pay to the members such remuneration and...
- 9 The Committee must, if required to do so by the...
- 10 If the national authorities consider there are special circumstances which...

Staff

- 11 (1) The Committee must appoint a person to be chief...
- 12 The Committee may appoint other employees.
- 13 The Committee must, if required to do so by the...
- 14 (1) In Schedule 1 to the Superannuation Act 1972 (c....

Sub-committees

- 15 (1) The Committee may establish sub-committees. (2) A sub-committee may...

The Adaptation Sub-Committee

- 16 (1) There shall be a sub-committee of the Committee, to...

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Proceedings

- 17 The Committee may regulate— (a) its own procedure (including quorum),...
- 18 The validity of anything done by the Committee or any...
- 19 The Committee must publish the minutes of its meetings in...

Discharge of functions

- 20 The Committee may authorise a sub-committee, member or employee to...

Application of seal and proof of documents

- 21 (1) The application of the Committee's seal must be authenticated...

Reports and accounts

- 22 (1) For each financial year the Committee must—
- 23 In this Schedule “financial year” means— (a) the period beginning...
- 24 (1) The Committee must keep proper accounts and proper records...

Information

- 25 (1) The Committee must provide the national authorities with such...

Publication of advice etc

- 26 A requirement under this Act for the Committee to publish...

Status

- 27 (1) The Committee is not to be regarded as the...

Public Records Act 1958 (c. 51)

- 28 In Schedule 1 to the Public Records Act 1958 (definition...

Parliamentary Commissioner Act 1967 (c. 13)

- 29 In Schedule 2 to the Parliamentary Commissioner Act 1967 (departments...

House of Commons Disqualification Act 1975 (c. 24)

- 30 In Part 2 of Schedule 1 to the House of...

Northern Ireland Assembly Disqualification Act 1975 (c. 25)

- 31 In Part 2 of Schedule 1 to the Northern Ireland...

Race Relations Act 1976 (c. 74)

- 32 In Part 2 of Schedule 1A to the Race Relations...

Freedom of Information Act 2000 (c. 36)

- 33 In Part 6 of Schedule 1 to the Freedom of...

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Scottish Public Services Ombudsman Act 2002 (asp 11)

34 (1) The Scottish Public Services Ombudsman Act 2002 is amended...

Public Services Ombudsman (Wales) Act 2005 (c. 10)

35 In Schedule 3 to the Public Services Ombudsman (Wales) Act...

SCHEDULE 2 — Trading schemes

Part 1 — SCHEMES LIMITING ACTIVITIES

Introductory

1 This Part of this Schedule deals with trading schemes that...

Trading periods

2 The regulations must specify the period or periods by reference...

Activities

3 (1) The regulations must identify the activities to which the...

Participants

4 (1) The regulations must identify the persons to whom the...

Allocation of allowances

5 (1) The regulations may provide for the allocation among the...

Use of allowances

6 (1) The regulations may require each participant to have or...

Credits

7 (1) The regulations may enable participants to offset the carrying...

Payments

8 (1) The regulations may provide that a participant who does...

Trading

9 (1) The regulations must provide for the participants in a...

Permits

10 (1) The regulations may provide that participants may only carry...

Units under other schemes

11 (1) The regulations may make provision for recognising any of...

Part 2 — SCHEMES ENCOURAGING ACTIVITIES

Introductory

12 This Part of this Schedule deals with trading schemes that...

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Trading periods

- 13 The regulations must specify the period or periods by reference...

Activities

- 14 (1) The regulations must identify the activities to which the...

Participants

- 15 (1) The regulations must identify the persons to whom the...

Targets and obligations

- 16 The regulations must, for each trading period—

Certificates

- 17 (1) The regulations must provide for the issue of certificates...

Payments

- 18 (1) The regulations may provide that a participant who does...

Trading

- 19 (1) The regulations must provide for the participants in a...

Units under other schemes

- 20 (1) The regulations may make provision for recognising any of...
Part 3 — ADMINISTRATION AND ENFORCEMENT

The administrator

- 21 (1) The regulations may appoint a person as the administrator...

Information

- 22 (1) The regulations may require such information as may be...

Registers

- 23 (1) The regulations may provide for the creation and maintenance...

Publication of information

- 24 The regulations may confer or impose functions on the administrator...

Acquisition of units by the administrator

- 25 The regulations may confer powers on the administrator of a...

Charges

- 26 (1) The regulations may— (a) require the payment by participants...

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Monitoring compliance

- 27 (1) The regulations may make provision for monitoring compliance with...

Enforcement

- 28 (1) The regulations may confer powers on a person to...

Penalties

- 29 (1) The regulations may provide that a person is liable...

Offences

- 30 (1) The regulations may create offences relating to trading schemes....

Appeals

- 31 (1) The regulations may confer rights of appeal against—

SCHEDULE 3 — Trading schemes regulations: further provisions

Part 1 — REGULATIONS MADE BY A SINGLE NATIONAL AUTHORITY

- 1 This Part of this Schedule applies in relation to an...
2 (1) Where the instrument contains regulations that—
3 (1) An instrument containing regulations made by the Secretary of...
4 Any provision that may be made by regulations subject to...

Part 2 — REGULATIONS MADE BY TWO OR MORE NATIONAL AUTHORITIES

- 5 This Part of this Schedule applies in relation to an...
6 If any of the regulations are subject to affirmative resolution...
7 Paragraphs 2 and 3 (affirmative and negative resolution procedure)
apply...
8 (1) If in accordance with paragraph 3 (negative resolution procedure)
—...

Part 3 — POWER TO MAKE PROVISION BY ORDER IN COUNCIL

- 9 (1) Her Majesty may by Order in Council make provision...
10 No recommendation is to be made to Her Majesty in...
11 (1) This paragraph applies to an Order in Council under...
12 (1) This paragraph applies to an Order in Council under...
13 (1) If in accordance with paragraph 12—

SCHEDULE 4 — Trading schemes: powers to require information

Introductory

- 1 (1) The powers conferred by this Schedule are exercisable by...

Information from electricity suppliers and distributors

- 2 (1) An environmental authority may, for the purposes of enabling...

Information from potential participants in a trading scheme

- 3 (1) An environmental authority may, for the purposes of enabling...

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Requirements for a valid notice

- 4 (1) A notice under this Schedule must comply with the...

Failure to comply with notice etc an offence

- 5 (1) A person who— (a) fails without reasonable excuse to...

Disclosure of information

- 6 (1) This paragraph applies to information obtained by an environmental...

SCHEDULE 5 — Waste reduction schemes

Part 1 — MAIN PROVISIONS

- 1 After section 60 of the Environmental Protection Act 1990 (c....
2 After Schedule 2A to that Act insert— SCHEDULE 2AA Waste...

Part 2 — CONSEQUENTIAL AMENDMENTS

- 3 (1) Section 46 of the Environmental Protection Act 1990 (c....
4 (1) Section 161 of that Act (regulations, orders and directions)...

SCHEDULE 6 — Charges for single use carrier bags

Part 1 — POWERS TO MAKE REGULATIONS ABOUT CHARGES

General power

- 1 The relevant national authority may make provision by regulations about...

Requirement to charge

- 2 The regulations may make provision requiring sellers of goods to...

Sellers of goods

- 3 (1) “Seller”, in relation to goods, has the meaning given...

Amount of charge

- 4 The regulations may specify the minimum amount that a seller...
4A *Destination of proceeds – Wales*
4B *Interpretation of paragraph 4A*

Single use carrier bags

- 5 “Single use carrier bag” has the meaning given by the...

Administration

- 6 (1) The regulations may appoint a person (an “administrator”) to...

Record-keeping and publication of records

- 7 (1) The regulations may require records to be kept relating...

Enforcement

- 8 (1) The regulations may confer or impose powers or duties...

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Part 2 — CIVIL SANCTIONS

Civil sanctions

- 9 (1) The relevant national authority may make provision by regulations...

Fixed monetary penalties

- 10 (1) The regulations may make provision conferring on an administrator...

Fixed monetary penalties: procedure

- 11 (1) Provision under paragraph 10 must secure that—

Discretionary requirements

- 12 (1) The regulations may make provision conferring on an administrator...

Discretionary requirements: procedure

- 13 (1) Provision under paragraph 12 must secure that—

Discretionary requirements: enforcement

- 14 (1) Provision under paragraph 12 may include provision for a...

Combination of sanctions

- 15 (1) Provision may not be made under paragraphs 10 and...

Monetary penalties

- 16 (1) If the regulations confer power on an administrator to...

Costs recovery

- 17 (1) Provision under paragraph 12 may include provision for an...

Appeals

- 18 (1) The regulations may not provide for the making of...

Publicity for imposition of civil sanctions

- 19 (1) The regulations may make provision enabling an administrator to...

Persons liable to civil sanctions

- 20 The regulations may make provision about the persons liable to...

Guidance as to use of civil sanctions

- 21 (1) Where power is conferred on an administrator by the...

Publication of enforcement action

- 22 (1) Where power is conferred on an administrator by the...

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Compliance with regulatory principles

23 A relevant national authority may not make any provision conferring...

Review

24 (1) A relevant national authority must in accordance with this...

Suspension

25 (1) Where provision has been made by a relevant national...

Payment of penalties into Consolidated Fund

26 (1) Where pursuant to any provision made under this Schedule...
Part 3 — PROCEDURES APPLYING TO REGULATIONS

Regulations made by a single authority

27 (1) This paragraph applies in relation to an instrument containing...

Regulations made by two or more national authorities

28 (1) This paragraph applies in relation to an instrument containing...

Hybrid instruments

29 If a draft of an instrument containing regulations under this...

SCHEDULE 7 — Renewable transport fuel obligations

Introductory

1 Chapter 5 of Part 2 of the Energy Act 2004...

The Administrator

2 For section 125 (the Administrator) substitute— Appointment of the Administrator...

Determination of amounts of transport fuel

3 In section 126 (determination of amounts of transport fuel), after...

Discharge of obligation by payment

4 In section 128 (discharge of obligation by payment), for subsections...

Civil penalties

5 In section 129 (imposition of civil penalties), for subsection (7)...

Disclosure of information

6 After section 131 insert— Disclosure of information held by Revenue...

Interpretation

7 (1) Section 132(1) (interpretation of Chapter 5 of Part 2)...

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SCHEDULE 8 — Carbon emissions reduction targets

Gas Act 1986 (c. 44)

- 1 (1) Section 33BC of the Gas Act 1986 (promotion of...

Electricity Act 1989 (c. 29)

- 2 In section 6(9) of the Electricity Act 1989 (definition of...
- 3 (1) Section 41A of that Act (promotion of reductions in...
- 4 (1) Section 42AA of that Act (publication of statistical information...
- 5 In section 64(1) of that Act (interpretation etc of Part...

Utilities Act 2000 (c. 27)

- 6 (1) Section 103 of the Utilities Act 2000 (overall carbon...

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