



# Climate Change Act 2008

## 2008 CHAPTER 27

### PART 2

#### THE COMMITTEE ON CLIMATE CHANGE

##### *Supplementary provisions*

#### **39 General ancillary powers**

- (1) The Committee may do anything that appears to it necessary or appropriate for the purpose of, or in connection with, the carrying out of its functions.
- (2) In particular the Committee may—
  - (a) enter into contracts,
  - (b) acquire, hold and dispose of property,
  - (c) borrow money,
  - (d) accept gifts, and
  - (e) invest money.
- (3) In exercising its functions, the Committee may—
  - (a) gather information and carry out research and analysis,
  - (b) commission others to carry out such activities, and
  - (c) publish the results of such activities carried out by the Committee or others.
- (4) The Committee must have regard to the desirability of involving the public in the exercise of its functions.

#### **40 Grants to the Committee**

A national authority may make grants to the Committee of such amount and subject to such conditions as the authority thinks fit.

*Status: Point in time view as at 26/11/2008.*

*Changes to legislation: Climate Change Act 2008, Cross Heading: Supplementary provisions is up to date with all changes known to be in force on or before 10 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

#### **41 Powers to give guidance**

- (1) The national authorities may give the Committee guidance as to the matters it is to take into account in the exercise of—
  - (a) its functions generally, or
  - (b) any of its functions under Schedule 1.
- (2) The Secretary of State may give the Committee guidance as to the matters it is to take into account in the exercise of its functions under—
  - (a) Part 1 (carbon target and budgeting),
  - (b) section 33 (advice on level of 2050 target),
  - (c) section 34 (advice in connection with carbon budgets),
  - (d) section 35 (advice on emissions from international aviation and international shipping),
  - (e) section 36 (reports on progress),
  - (f) section 57 (advice on report on impact of climate change), or
  - (g) section 59 (reporting on progress in connection with adaptation).

Before giving guidance under any of paragraphs (a) to (f), the Secretary of State must consult the other national authorities.

- (3) A national authority that requests the Committee to provide advice, analysis, information or other assistance under—
  - (a) section 38 (duty to provide advice or assistance on request), or
  - (b) section 48 (advice on trading scheme regulations),

may give the Committee guidance as to the matters it is to take into account in responding to that request.

If the request is made by two or more national authorities, the guidance must be given by them jointly.

- (4) The power to give guidance under this section includes power to vary or revoke it.
- (5) In performing its functions the Committee must have regard to any guidance given under this section.

#### **42 Powers to give directions**

- (1) The national authorities may give the Committee directions as to the exercise of—
  - (a) its functions generally, or
  - (b) any of its functions under Schedule 1.
- (2) The Secretary of State may give the Committee directions as to the exercise of its functions under—
  - (a) Part 1 (carbon target and budgeting),
  - (b) section 33 (advice on level of 2050 target),
  - (c) section 34 (advice in connection with carbon budgets),
  - (d) section 35 (advice on emissions from international aviation and international shipping),
  - (e) section 36 (reports on progress),
  - (f) section 57 (advice on report on impact of climate change), or
  - (g) section 59 (reporting on progress in connection with adaptation).

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Before giving directions under any of paragraphs (a) to (f), the Secretary of State must consult the other national authorities.

- (3) A national authority that requests the Committee to provide advice, analysis, information or other assistance under—
- (a) section 38 (duty to provide advice or assistance on request), or
  - (b) section 48 (advice on trading scheme regulations),
- may give the Committee directions as to the exercise of its functions in responding to that request.

If the request is made by two or more national authorities, the directions must be given by them jointly.

- (4) The power to give directions under this section does not include power to direct the Committee as to the content of any advice or report.
- (5) The power to give directions under this section includes power to vary or revoke the directions.
- (6) The Committee must comply with any directions given under this section.

**Status:**

Point in time view as at 26/11/2008.

**Changes to legislation:**

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