



# Climate Change Act 2008

## 2008 CHAPTER 27

### PART 1

#### CARBON TARGET AND BUDGETING

##### *Carbon units, carbon accounting and the net UK carbon account*

#### **28 Procedure for regulations under section 26 or 27**

- (1) The following provisions apply in relation to regulations under section 26 (carbon units and carbon accounting) or section 27 (net UK carbon account).
- (2) The regulations are subject to affirmative resolution procedure if—
  - (a) they are the first regulations to be made under those sections,
  - (b) they specify a carbon unit of a kind not previously specified in regulations made under those sections,
  - (c) they alter the amount by which—
    - (i) a carbon unit that is credited to the net UK carbon account for a period reduces the net UK carbon account for that period, or
    - (ii) a carbon unit that is debited from the net UK carbon account for a period increases the net UK carbon account for that period, or
  - (d) they make modifications of an enactment contained in primary legislation.
- (3) Otherwise the regulations are subject to negative resolution procedure.
- (4) The Secretary of State must consult the other national authorities—
  - (a) in the case of regulations subject to affirmative resolution procedure, before laying before Parliament a draft of a statutory instrument containing the regulations;
  - (b) in the case of regulations subject to negative resolution procedure, before making the regulations.

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*Status: This is the original version (as it was originally enacted).*

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- (5) The Secretary of State must obtain, and take into account, the advice of the Committee on Climate Change before laying before Parliament a draft of a statutory instrument containing—
- (a) the first regulations to be made under those sections, or
  - (b) regulations making provision of the kind described in paragraph (b) or (c) of subsection (2).