

2009 No. 341 (C. 27)

CLIMATE CHANGE

**The Climate Change (Scotland) Act 2009 (Commencement
No. 1) Order 2009**

Made - - - -

6th October 2009

The Scottish Ministers make the following Order in exercise of the powers conferred by section 100(2) and (5) of the Climate Change (Scotland) Act 2009^(a).

Citation

1. This Order may be cited as the Climate Change (Scotland) Act 2009 (Commencement No. 1) Order 2009.

Commencement

- 2.—(1) Provisions of the Climate Change (Scotland) Act 2009 come into force as follows.
- (2) The following provisions come into force on 31st October 2009—
- (a) sections 1 to 24, 26, 33 to 43, 53 to 55, 57 to 62, 74 to 95, 97 and 98;
 - (b) section 99, but only insofar as it relates to the provisions of schedule 2 mentioned in sub-paragraph (c); and
 - (c) paragraphs 1, 2 and 7 of schedule 2.
- (3) Sections 63 to 69 and 71 to 73 come into force on 1st April 2010.
- (4) Sections 44 to 52 come into force on 1st January 2011.

STEWART STEVENSON
Authorised to sign by the Scottish Ministers

St Andrew's House,
Edinburgh
6th October 2009

EXPLANATORY NOTE

(This note is not part of the Order)

This Order provides for three different dates for various provisions of the Climate Change (Scotland) Act 2009 (“the Act”) to come into force.

Under article 2(2) of the Order, the provisions of the Act listed in the following table come into force on 31st October 2009.

<i>Column 1</i> <i>Provisions of the Act</i>	<i>Column 2</i> <i>Subject Matter</i>
Sections 1 to 8	Setting of 2050, interim, annual and domestic effort targets
Section 9	Progress towards targets
Section 10	Greenhouse gases
Sections 11 and 12	The baseline
Section 13 to 23	Supplementary
Section 24	Meaning of advisory body
Section 26	Application of sections 27 to 32 and 56 (which have effect only from the date when an order is made by the Scottish Ministers designating an advisory body under section 24(1))
Sections 33 to 43	Reporting duties
Sections 53 to 55	Adaptation programmes
Section 57	Duty to produce a land use strategy
Section 58	Variation of permitted times for making muirburn
Section 59	Power to modify functions of Forestry Commissioners
Sections 60 to 62	Promotion of energy efficiency and renewable heat
Section 74	Duty of Scottish Water to promote water conservation and water-use efficiency
Sections 75 to 77	The Scottish civil estate
Sections 78 to 90	Waste reduction and recycling
Section 91	Public engagement
Section 92	Sustainable development
Section 93	Equal opportunities
Section 94	Impact of budget proposals on emissions
Section 95	Crown application
Section 97	Subordinate legislation: pre-laying procedure
Section 98	Interpretation
Section 99	Minor and consequential modifications (but only in relation to paragraphs 1, 2 and 7 of schedule 2)
Paragraphs 1, 2 and 7 of schedule 2	Minor and consequential modifications

Under article 2(3) of the Order, the provisions of the Act listed in the following table come into force on 1st April 2010.

<i>Column 1</i> <i>Provisions of the Act</i>	<i>Column 2</i> <i>Subject Matter</i>
Section 63	Non-domestic buildings: assessment of energy performance and emissions
Section 64	Living accommodation: assessment of energy performance and emissions
Sections 65 to 67	Energy efficiency discount schemes
Section 68	Climate change burdens
Section 69	Tenement Management Scheme: definition of “maintenance”
Section 71	Microgeneration in non-domestic buildings
Section 72	Development plans: inclusion of greenhouse gas emissions policies
Section 73	Annual report on operation of section 72

Under article 2(4) of the Order, sections 44 to 52 (duties of public bodies relating to climate change) of the Act come into force on 1st January 2011.

The Act received Royal Assent on 4th August 2009. Sections 96 and 100 came into force on Royal Assent. Section 70 came into force on the day after Royal Assent.

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