



Climate Change Act 2008

CHAPTER 27

CLIMATE CHANGE ACT 2008

PART 1

CARBON TARGET AND BUDGETING

The target for 2050

- 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

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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

Determination whether objectives met

- 16 Annual statement of UK emissions
- 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

Alteration of budgets or budgetary periods

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

Targeted greenhouse gases

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

Carbon units, carbon accounting and the net UK carbon account

- 26 Carbon units and carbon accounting
- 27 Net UK carbon account
- 28 Procedure for regulations under section 26 or 27

Other supplementary provisions

- 29 UK emissions and removals of greenhouse gases
- 30 Emissions from international aviation or international shipping
- 31 Procedure for regulations under section 30

PART 2

THE COMMITTEE ON CLIMATE CHANGE

The Committee

- 32 The Committee on Climate Change

Functions of the Committee

- 33 Advice on level of 2050 target
- 34 Advice in connection with carbon budgets
- 35 Advice on emissions from international aviation and international shipping
- 36 Reports on progress
- 37 Response to Committee's reports on progress
- 38 Duty to provide advice or other assistance on request

Supplementary provisions

- 39 General ancillary powers
- 40 Grants to the Committee
- 41 Powers to give guidance

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42 Powers to give directions

Interpretation

43 Interpretation of Part 2

PART 3

TRADING SCHEMES

Trading schemes

44 Trading schemes

45 Activities to which trading schemes may apply

46 Matters that may or must be provided for in regulations

Authorities and regulations

47 Relevant national authorities

48 Procedure for making regulations

49 Further provisions about regulations

Other supplementary provisions

50 Information

51 Powers to give guidance

52 Powers to give directions

53 Grants to administrators and participants

54 Power to make consequential provision

Interpretation

55 Interpretation of Part 3

PART 4

IMPACT OF AND ADAPTATION TO CLIMATE CHANGE

National reports and programmes

56 Report on impact of climate change

57 Advice of Committee on Climate Change on impact report

58 Programme for adaptation to climate change

59 Reporting on progress in connection with adaptation

60 Programme for adaptation to climate change: Northern Ireland

Reporting authorities: non-devolved functions

61 Guidance by Secretary of State to reporting authorities

62 Directions by Secretary of State to prepare reports

63 Compliance with Secretary of State's directions

64 Consent of, or consultation with, devolved authorities

65 Report on exercise of power to give directions

Reporting authorities: devolved Welsh functions

66 Guidance by Welsh Ministers to reporting authorities

67 Directions by Welsh Ministers to prepare reports

68 Compliance with Welsh Ministers' directions

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69 Consent of, or consultation with, Secretary of State

Interpretation

70 Interpretation

PART 5

OTHER PROVISIONS

Waste reduction schemes

- 71 Waste reduction schemes
- 72 Waste reduction provisions: piloting
- 73 Waste reduction provisions: report and review
- 74 Waste reduction provisions: interim report
- 75 Waste reduction provisions: roll-out or repeal

Collection of household waste

76 Collection of household waste

Charges for carrier bags

77 Charges for carrier bags

Renewable transport fuel obligations

78 Renewable transport fuel obligations

Carbon emissions reduction targets

79 Carbon emissions reduction targets

Miscellaneous

- 80 Report on climate change: Wales
- 81 Climate change measures reports in Wales
- 82 Repeal of previous reporting obligation
- 83 Guidance on reporting
- 84 Report on contribution of reporting to climate change objectives
- 85 Regulations about reporting by companies
- 86 Report on the civil estate
- 87 Power of Ministers and departments to offset greenhouse gas emissions
- 88 Fines for offences relating to pollution

PART 6

GENERAL SUPPLEMENTARY PROVISIONS

Territorial scope of provisions relating to greenhouse gas emissions

89 Territorial scope of provisions relating to greenhouse gas emissions

Orders and regulations

- 90 Orders and regulations
- 91 Affirmative and negative resolution procedure

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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 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...
2A The regulations may make provision for treating carrier bags as...
4A *Destination of proceeds – Wales*
4A (1) This paragraph applies to regulations made by the Department...
4B *Interpretation of paragraph 4A*

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...

Carrier bags

- 5 (1) “Single use carrier bagCarrier bag” has the meaning given...

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...

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Enforcement

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

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Publication of enforcement action

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

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...

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Interpretation

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

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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